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Senate File 2336

H-8464

1 Amend Senate File 2336, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 DEPARTMENT ON AGING

7 Section 1. 2011 Iowa Acts, chapter 129, section
8 113, is amended to read as follows:

9 SEC. 113. DEPARTMENT ON AGING. There is
10 appropriated from the general fund of the state to
11 the department on aging for the fiscal year beginning
12 July 1, 2012, and ending June 30, 2013, the following
13 amount, or so much thereof as is necessary, to be used
14 for the purposes designated:

15 For aging programs for the department on aging and
16 area agencies on aging to provide citizens of Iowa who
17 are 60 years of age and older with case management for
18 frail elders, Iowa's aging and disabilities resource
19 center, and other services which may include but are
20 not limited to adult day services, respite care, chore
21 services, information and assistance, and material aid,
22 for information and options counseling for persons with
23 disabilities who are 18 years of age or older, and
24 for salaries, support, administration, maintenance,
25 and miscellaneous purposes, and for not more than the
26 following full-time equivalent positions:

| | | |
|----------|------|-------------------|
| 27 | \$ | 5,151,288 |
| 28 | | <u>10,242,086</u> |
| 29 | FTEs | 35.00 |

30 1. Funds appropriated in this section may be used
31 to supplement federal funds under federal regulations.
32 To receive funds appropriated in this section, a local
33 area agency on aging shall match the funds with moneys
34 from other sources according to rules adopted by the
35 department. Funds appropriated in this section may be
36 used for elderly services not specifically enumerated
37 in this section only if approved by an area agency on
38 aging for provision of the service within the area.

39 ~~2. The amount appropriated in this section includes~~
40 ~~additional funding of \$225,000 for delivery of~~
41 ~~long-term care services to seniors with low or moderate~~
42 ~~incomes.~~

43 3. Of the funds appropriated in this section,
44 ~~\$89,973~~ \$179,946 shall be transferred to the department
45 of economic development for the Iowa commission on
46 volunteer services to be used for the retired and
47 senior volunteer program.

48 4. a. The department on aging shall establish and
49 enforce procedures relating to expenditure of state and
50 federal funds by area agencies on aging that require

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1 compliance with both state and federal laws, rules, and
2 regulations, including but not limited to all of the
3 following:

4 (1) Requiring that expenditures are incurred only
5 for goods or services received or performed prior to
6 the end of the fiscal period designated for use of the
7 funds.

8 (2) Prohibiting prepayment for goods or services
9 not received or performed prior to the end of the
10 fiscal period designated for use of the funds.

11 (3) Prohibiting the prepayment for goods or
12 services not defined specifically by good or service,
13 time period, or recipient.

14 (4) Prohibiting the establishment of accounts from
15 which future goods or services which are not defined
16 specifically by good or service, time period, or
17 recipient, may be purchased.

18 b. The procedures shall provide that if any funds
19 are expended in a manner that is not in compliance with
20 the procedures and applicable federal and state laws,
21 rules, and regulations, and are subsequently subject
22 to repayment, the area agency on aging expending such
23 funds in contravention of such procedures, laws, rules
24 and regulations, not the state, shall be liable for
25 such repayment.

26 5. The department shall develop recommendations
27 for an implementation schedule, including funding
28 projections, for the substitute decision maker program
29 created pursuant to chapter 231E, and shall submit the
30 recommendations to the individuals identified in this
31 Act for submission of reports by December 15, 2012.

32 6. The amount appropriated in this section reflects
33 a reduction in expenditures for office supplies,
34 purchases of equipment, office equipment, printing and
35 binding, and marketing, that shall be applied equitably
36 to the programs under the purview of the department.

37 DIVISION II

38 DEPARTMENT OF PUBLIC HEALTH

39 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,
40 is amended to read as follows:

41 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
42 appropriated from the general fund of the state to
43 the department of public health for the fiscal year
44 beginning July 1, 2012, and ending June 30, 2013, the
45 following amounts, or so much thereof as is necessary,
46 to be used for the purposes designated:

47 1. ADDICTIVE DISORDERS

48 For reducing the prevalence of use of tobacco,
49 alcohol, and other drugs, and treating individuals
50 affected by addictive behaviors, including gambling,

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1 and for not more than the following full-time
2 equivalent positions:
3 \$ ~~11,751,595~~
4 23,463,690
5 FTEs 13.00
6 a. (1) Of the funds appropriated in this
7 subsection, ~~\$1,626,915~~ \$3,253,830 shall be used for
8 the tobacco use prevention and control initiative,
9 including efforts at the state and local levels, as
10 provided in chapter 142A. The commission on tobacco
11 use prevention and control established pursuant to
12 section 142A.3 shall advise the director of public
13 health in prioritizing funding needs and the allocation
14 of moneys appropriated for the programs and activities
15 of the initiative under this subparagraph (1) and shall
16 make recommendations to the director in the development
17 of budget requests relating to the initiative. Of the
18 funds allocated in this subparagraph (1), \$750,000
19 shall be used for support of Quitline Iowa.
20 (2) (a) Of the funds allocated in this paragraph
21 "a", ~~\$226,915~~ \$453,830 shall be transferred to the
22 alcoholic beverages division of the department of
23 commerce for enforcement of tobacco laws, regulations,
24 and ordinances in accordance with 2011 Iowa Acts, House
25 File 467, as enacted chapter 63.
26 (b) For the fiscal year beginning July 1, 2012,
27 and ending June 30, 2013, the terms of a chapter
28 28D agreement, entered into between the division of
29 tobacco use prevention and control of the department
30 of public health and the alcoholic beverages division
31 of the department of commerce, governing compliance
32 checks conducted to ensure licensed retail tobacco
33 outlet conformity with tobacco laws, regulations, and
34 ordinances relating to persons under eighteen years of
35 age, shall restrict the number of such checks to one
36 check per retail outlet, and one additional check for
37 any retail outlet found to be in violation during the
38 first check.
39 b. Of the funds appropriated in this subsection,
40 ~~\$10,124,680~~ \$20,249,360 shall be used for problem
41 gambling and substance abuse prevention, treatment,
42 and recovery services, including a 24-hour helpline,
43 public information resources, professional training,
44 and program evaluation.
45 (1) Of the funds allocated in this paragraph "b",
46 ~~\$8,566,254~~ \$17,132,508 shall be used for substance
47 abuse prevention and treatment.
48 (a) Of the funds allocated in this subparagraph
49 (1), ~~\$449,650~~ \$899,300 shall be used for the public
50 purpose of a grant program to provide substance abuse

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1 prevention programming for children.
2 (i) Of the funds allocated in this subparagraph
3 division (a), ~~\$213,769~~ \$427,539 shall be used for grant
4 funding for organizations that provide programming for
5 children by utilizing mentors. Programs approved for
6 such grants shall be certified or will be certified
7 within six months of receiving the grant award by the
8 Iowa commission on volunteer services as utilizing
9 the standards for effective practice for mentoring
10 programs.
11 (ii) Of the funds allocated in this subparagraph
12 division (a), ~~\$213,419~~ \$426,839 shall be used for grant
13 funding for organizations that provide programming
14 that includes youth development and leadership. The
15 programs shall also be recognized as being programs
16 that are scientifically based with evidence of their
17 effectiveness in reducing substance abuse in children.
18 (iii) The department of public health shall utilize
19 a request for proposals process to implement the grant
20 program.
21 (iv) All grant recipients shall participate in a
22 program evaluation as a requirement for receiving grant
23 funds.
24 (v) Of the funds allocated in this subparagraph
25 division (a), up to ~~\$22,461~~ \$44,922 may be used to
26 administer substance abuse prevention grants and for
27 program evaluations.
28 (b) Of the funds allocated in this subparagraph
29 (1), ~~\$136,531~~ \$273,062 shall be used for culturally
30 competent substance abuse treatment pilot projects.
31 (i) The department shall utilize the amount
32 allocated in this subparagraph division (b) for at
33 least three pilot projects to provide culturally
34 competent substance abuse treatment in various areas
35 of the state. Each pilot project shall target a
36 particular ethnic minority population. The populations
37 targeted shall include but are not limited to African
38 American, Asian, and Latino.
39 (ii) The pilot project requirements shall provide
40 for documentation or other means to ensure access
41 to the cultural competence approach used by a pilot
42 project so that such approach can be replicated and
43 improved upon in successor programs.
44 (2) Of the funds allocated in this paragraph "b",
45 up to ~~\$1,558,426~~ \$3,116,852 may be used for problem
46 gambling prevention, treatment, and recovery services.
47 (a) Of the funds allocated in this subparagraph
48 (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem
49 gambling prevention and treatment.
50 (b) Of the funds allocated in this subparagraph

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1 (2), up to ~~\$218,926~~ \$437,852 may be used for a 24-hour
2 helpline, public information resources, professional
3 training, and program evaluation.
4 (c) Of the funds allocated in this subparagraph
5 (2), up to ~~\$50,000~~ \$100,000 may be used for the
6 licensing of problem gambling treatment programs.
7 (3) It is the intent of the general assembly that
8 from the moneys allocated in this paragraph "b",
9 persons with a dual diagnosis of substance abuse
10 and gambling addictions shall be given priority in
11 treatment services.
12 c. Notwithstanding any provision of law to the
13 contrary, to standardize the availability, delivery,
14 cost of delivery, and accountability of problem
15 gambling and substance abuse treatment services
16 statewide, the department shall continue implementation
17 of a process to create a system for delivery of
18 treatment services in accordance with the requirements
19 specified in 2008 Iowa Acts, chapter 1187, section
20 3, subsection 4. To ensure the system provides a
21 continuum of treatment services that best meets the
22 needs of Iowans, the problem gambling and substance
23 abuse treatment services in any area may be provided
24 either by a single agency or by separate agencies
25 submitting a joint proposal.
26 (1) The system for delivery of substance abuse
27 and problem gambling treatment shall include problem
28 gambling prevention.
29 (2) The system for delivery of substance abuse and
30 problem gambling treatment shall include substance
31 abuse prevention by July 1, 2014.
32 (3) Of the funds allocated in paragraph "b",
33 the department may use up to ~~\$50,000~~ \$100,000 for
34 administrative costs to continue developing and
35 implementing the process in accordance with this
36 paragraph "c".
37 d. The requirement of section 123.53, subsection
38 5, is met by the appropriations and allocations made
39 in this Act for purposes of substance abuse treatment
40 and addictive disorders for the fiscal year beginning
41 July 1, 2012.
42 e. The department of public health shall work
43 with all other departments that fund substance
44 abuse prevention and treatment services and all
45 such departments shall, to the extent necessary,
46 collectively meet the state maintenance of effort
47 requirements for expenditures for substance abuse
48 services as required under the federal substance abuse
49 prevention and treatment block grant.
50 f. The department shall amend or otherwise

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1 revise departmental policies and contract provisions
2 in order to eliminate free t-shirt distribution,
3 banner production, and other unnecessary promotional
4 expenditures.
5 g. The amount appropriated in this subsection
6 reflects a reduction in expenditures for office
7 supplies, purchases of equipment, office equipment,
8 printing and binding, and marketing, that shall
9 be applied equitably to the programs under this
10 subsection.
11 2. HEALTHY CHILDREN AND FAMILIES
12 For promoting the optimum health status for
13 children, adolescents from birth through 21 years of
14 age, and families, and for not more than the following
15 full-time equivalent positions:
16 \$ 1,297,135
17 2,578,559
18 FTEs 10.00
19 a. Of the funds appropriated in this subsection,
20 not more than ~~\$369,659~~ \$739,318 shall be used for
21 the healthy opportunities to experience success
22 (HOPES)-healthy families Iowa (HFI) program established
23 pursuant to section 135.106. The funding shall be
24 distributed to renew the grants that were provided
25 to the grantees that operated the program during the
26 fiscal year ending June 30, 2012.
27 0b. (1) In order to implement the legislative
28 intent stated in sections 135.106 and 256I.9, that
29 priority for home visitation program funding be given
30 to programs using evidence-based or promising models
31 for home visitation, it is the intent of the general
32 assembly to phase-in the funding priority as follows:
33 (a) By July 1, 2013, 25 percent of state
34 funds expended for home visiting programs are for
35 evidence-based or promising program models.
36 (b) By July 1, 2014, 50 percent of state
37 funds expended for home visiting programs are for
38 evidence-based or promising program models.
39 (c) By July 1, 2015, 75 percent of state
40 funds expended for home visiting programs are for
41 evidence-based or promising program models.
42 (d) By July 1, 2016, 90 percent of state
43 funds expended for home visiting programs are for
44 evidence-based or promising program models. The
45 remaining 10 percent of funds may be used for
46 innovative program models that do not yet meet the
47 definition of evidence-based or promising programs.
48 (2) For the purposes of this lettered paragraph,
49 unless the context otherwise requires:
50 (a) "Evidence-based program" means a program that

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1 is based on scientific evidence demonstrating that
2 the program model is effective. An evidence-based
3 program shall be reviewed onsite and compared to
4 program model standards by the model developer or the
5 developer's designee at least every five years to
6 ensure that the program continues to maintain fidelity
7 with the program model. The program model shall have
8 had demonstrated significant and sustained positive
9 outcomes in an evaluation utilizing a well-designed and
10 rigorous randomized controlled research design or a
11 quasi-experimental research design, and the evaluation
12 results shall have been published in a peer-reviewed
13 journal.
14 (b) "Family support programs" includes group-based
15 parent education or home visiting programs that are
16 designed to strengthen protective factors, including
17 parenting skills, increasing parental knowledge of
18 child development, and increasing family functioning
19 and problem solving skills. A family support program
20 may be used as an early intervention strategy to
21 improve birth outcomes, parental knowledge, family
22 economic success, the home learning environment, family
23 and child involvement with others, and coordination
24 with other community resources. A family support
25 program may have a specific focus on preventing child
26 maltreatment or ensuring children are safe, healthy,
27 and ready to succeed in school.
28 (c) "Promising program" means a program that meets
29 all of the following requirements:
30 (i) The program conforms to a clear, consistent
31 family support model that has been in existence for at
32 least three years.
33 (ii) The program is grounded in relevant
34 empirically-based knowledge.
35 (iii) The program is linked to program-determined
36 outcomes.
37 (iv) The program is associated with a national
38 or state organization that either has comprehensive
39 program standards that ensure high-quality service
40 delivery and continuous program quality improvement
41 or the program model has demonstrated through the
42 program's benchmark outcomes that the program has
43 achieved significant positive outcomes equivalent
44 to those achieved by program models with published
45 significant and sustained results in a peer-reviewed
46 journal.
47 (v) The program has been awarded the Iowa family
48 support credential and has been reviewed onsite
49 at least every five years to ensure the program's
50 adherence to the Iowa family support standards approved

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1 by the early childhood Iowa state board created in
2 section 256I.3 or a comparable set of standards. The
3 onsite review is completed by an independent review
4 team that is not associated with the program or the
5 organization administering the program.
6 (3) (a) The data reporting requirements applicable
7 to the HOPES-HFI program services shall include the
8 requirements adopted by the early childhood Iowa state
9 board pursuant to section 256I.4 for the family support
10 programs targeted to families expecting a child or
11 with newborn and infant children through age five and
12 funded through the state board. The department of
13 public health may specify additional data reporting
14 requirements for the HOPES-HFI program services.
15 The HOPES-HFI program services shall be required to
16 participate in a state administered internet-based
17 data collection system by July 1, 2013. The annual
18 reporting concerning the HOPES-HFI program services
19 shall include program outcomes beginning with the 2015
20 report.
21 (b) The data on families served that is collected
22 by the HOPES-HFI program shall include but is not
23 limited to basic demographic information, services
24 received, funding utilized, and program outcomes for
25 the children and families served.
26 (c) The HOPES-HFI program shall work with the early
27 childhood Iowa state board in the state board's efforts
28 to identify minimum competency standards for the
29 employees and supervisors of family support programs
30 funded. The HOPES-HFI program, along with the state
31 board, shall submit recommendations concerning the
32 standards to the governor and general assembly on or
33 before January 1, 2014.
34 (d) On or before January 1, 2013, the HOPES-HFI
35 program shall adopt criminal and child abuse record
36 check requirements for the employees and supervisors of
37 family support programs funded through the program.
38 (e) The HOPES-HFI program shall work with the early
39 childhood Iowa state board in the state board's efforts
40 to develop a plan to implement a coordinated intake and
41 referral process for publicly funded family support
42 programs in order to engage the families expecting a
43 child or with newborn and infant children through age
44 five in all communities in the state by July 1, 2015.
45 b. Of the funds appropriated in this subsection,
46 \$164,942 \$329,885 shall be used to continue to address
47 the healthy mental development of children from birth
48 through five years of age through local evidence-based
49 strategies that engage both the public and private
50 sectors in promoting healthy development, prevention,

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1 and treatment for children. The department shall work
2 with the department of human services, Iowa Medicaid
3 enterprise, to develop a plan to secure matching
4 medical assistance program funding to provide services
5 under this paragraph, which may include a per member
6 per month payment to reimburse the care coordination
7 and community outreach services component that links
8 young children and their families with identified
9 service needs.

10 c. Of the funds appropriated in this subsection,
11 ~~\$15,798~~ \$31,597 shall be distributed to a statewide
12 dental carrier to provide funds to continue the donated
13 dental services program patterned after the projects
14 developed by the lifeline network to provide dental
15 services to indigent elderly and disabled individuals.

16 d. Of the funds appropriated in this subsection,
17 ~~\$56,338~~ \$112,677 shall be used for childhood obesity
18 prevention.

19 e. Of the funds appropriated in this subsection,
20 ~~\$81,880~~ \$163,760 shall be used to provide audiological
21 services and hearing aids for children. The department
22 may enter into a contract to administer this paragraph.

23 f. The amount appropriated in this subsection
24 reflects a reduction in expenditures for office
25 supplies, purchases of equipment, office equipment,
26 printing and binding, and marketing, that shall
27 be applied equitably to the programs under this
28 subsection.

29 3. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
31 conditions or special health care needs, and for not
32 more than the following full-time equivalent positions:

| | | |
|----------|------|----------------------|
| 33 | \$ | 1,680,828 |
| 34 | | <u>3,424,366</u> |
| 35 | FTEs | 4.00 |

36 a. Of the funds appropriated in this subsection,
37 ~~\$80,291~~ \$160,582 shall be used for grants to individual
38 patients who have phenylketonuria (PKU) to assist with
39 the costs of necessary special foods.

40 b. Of the funds appropriated in this subsection,
41 ~~\$241,800~~ \$483,600 is allocated for continuation of
42 the contracts for resource facilitator services in
43 accordance with section 135.22B, subsection 9, and
44 for brain injury training services and recruiting of
45 service providers to increase the capacity within this
46 state to address the needs of individuals with brain
47 injuries and such individuals' families.

48 c. Of the funds appropriated in this subsection,
49 ~~\$249,437~~ \$498,874 shall be used as additional funding
50 to leverage federal funding through the federal Ryan

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1 White Care Act, Tit. II, AIDS drug assistance program
2 supplemental drug treatment grants.
3 d. Of the funds appropriated in this subsection,
4 ~~\$15,627~~ \$50,000 shall be used for the public purpose of
5 providing a grant to an existing national-affiliated
6 organization to provide education, client-centered
7 programs, and client and family support for people
8 living with epilepsy and their families.
9 e. Of the funds appropriated in this subsection,
10 ~~\$394,151~~ \$788,303 shall be used for child health
11 specialty clinics.
12 f. Of the funds appropriated in this subsection,
13 ~~\$248,533~~ \$497,065 shall be used for the comprehensive
14 cancer control program to reduce the burden of cancer
15 in Iowa through prevention, early detection, effective
16 treatment, and ensuring quality of life. Of the funds
17 allocated in this lettered paragraph, ~~\$75,000~~ \$250,000
18 shall be used to support a melanoma research symposium,
19 a melanoma biorepository and registry, basic and
20 translational melanoma research, and clinical trials.
21 g. Of the funds appropriated in this subsection,
22 ~~\$63,225~~ \$126,450 shall be used for cervical and colon
23 cancer screening.
24 h. Of the funds appropriated in this subsection,
25 ~~\$264,417~~ \$528,834 shall be used for the center for
26 congenital and inherited disorders.
27 i. Of the funds appropriated in this subsection,
28 ~~\$64,968~~ \$100,000 shall be used for the prescription
29 drug donation repository program created in chapter
30 135M.
31 j. No later than December 15, 2012, the department
32 of public health, in collaboration with the department
33 of education and other interested parties, shall
34 develop training guidelines for the management of
35 chronic conditions that affect children to be made
36 available to public schools and accredited nonpublic
37 schools throughout the state.
38 k. The amount appropriated in this subsection
39 reflects a reduction in expenditures for office
40 supplies, purchases of equipment, office equipment,
41 printing and binding, and marketing, that shall
42 be applied equitably to the programs under this
43 subsection.
44 4. COMMUNITY CAPACITY
45 For strengthening the health care delivery system at
46 the local level, and for not more than the following
47 full-time equivalent positions:
48 \$ 2,117,583
49 3,788,859
50 FTEs 14.00

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1 a. Of the funds appropriated in this subsection,
2 ~~\$50,000~~ \$100,000 is allocated for a child vision
3 screening program implemented through the university of
4 Iowa hospitals and clinics in collaboration with early
5 childhood Iowa areas.
6 b. Of the funds appropriated in this subsection,
7 ~~\$55,654~~ \$111,308 is allocated for continuation of an
8 initiative implemented at the university of Iowa and
9 ~~\$50,246~~ \$100,493 is allocated for continuation of an
10 initiative at the state mental health institute at
11 Cherokee to expand and improve the workforce engaged in
12 mental health treatment and services. The initiatives
13 shall receive input from the university of Iowa, the
14 department of human services, the department of public
15 health, and the mental health and disability services
16 commission to address the focus of the initiatives.
17 c. Of the funds appropriated in this subsection,
18 ~~\$585,745~~ \$1,171,491 shall be used for essential public
19 health services that promote healthy aging throughout
20 the lifespan, contracted through a formula for local
21 boards of health, to enhance health promotion and
22 disease prevention services.
23 d. Of the funds appropriated in this section,
24 ~~\$60,908~~ \$100,000 shall be deposited in the governmental
25 public health system fund created in section 135A.8 to
26 be used for the purposes of the fund.
27 e. Of the funds appropriated in this subsection,
28 ~~\$72,271~~ \$144,542 shall be used for the mental health
29 professional shortage area program implemented pursuant
30 to section 135.80.
31 f. Of the funds appropriated in this subsection,
32 ~~\$19,131~~ \$38,263 shall be used for a grant to a
33 statewide association of psychologists that is
34 affiliated with the American psychological association
35 to be used for continuation of a program to rotate
36 intern psychologists in placements in urban and rural
37 mental health professional shortage areas, as defined
38 in section ~~135.80~~ 135.180.
39 g. Of the funds appropriated in this subsection,
40 the following amounts shall be allocated to the Iowa
41 collaborative safety net provider network established
42 pursuant to section 135.153 to be used for the purposes
43 designated. The following amounts allocated under
44 this lettered paragraph shall be distributed to
45 the specified provider and shall not be reduced for
46 administrative or other costs prior to distribution:
47 (1) For distribution to the Iowa primary care
48 association for statewide coordination of the Iowa
49 collaborative safety net provider network:
50 \$ 66,290

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1 70,000
2 (2) For distribution to the local boards of health
3 that provide direct services for pilot programs in
4 three counties to assist patients in determining an
5 appropriate medical home:
6 \$ 38,804
7 77,609
8 (3) For distribution to maternal and child health
9 centers for pilot programs in three counties to assist
10 patients in determining an appropriate medical home:
11 \$ 38,804
12 77,609
13 (4) For distribution to free clinics for necessary
14 infrastructure, statewide coordination, provider
15 recruitment, service delivery, and provision of
16 assistance to patients in determining an appropriate
17 medical home:
18 \$ 62,025
19 124,050
20 (5) For distribution to rural health clinics for
21 necessary infrastructure, statewide coordination,
22 provider recruitment, service delivery, and provision
23 of assistance to patients in determining an appropriate
24 medical home:
25 \$ 55,215
26 110,430
27 (6) For continuation of the safety net provider
28 patient access to specialty health care initiative as
29 described in 2007 Iowa Acts, chapter 218, section 109:
30 \$ 130,000
31 260,000
32 (7) For continuation of the pharmaceutical
33 infrastructure for safety net providers as described in
34 2007 Iowa Acts, chapter 218, section 108:
35 \$ 135,000
36 270,000
37 The Iowa collaborative safety net provider network
38 may continue to distribute funds allocated pursuant to
39 this lettered paragraph through existing contracts or
40 renewal of existing contracts.
41 ~~h. (1) Of the funds appropriated in this~~
42 ~~subsection, \$74,500 shall be used for continued~~
43 ~~implementation of the recommendations of the direct~~
44 ~~care worker task force established pursuant to 2005~~
45 ~~Iowa Acts, chapter 88, based upon the report submitted~~
46 ~~to the governor and the general assembly in December~~
47 ~~2006. The department may use a portion of the funds~~
48 ~~allocated in this lettered paragraph for an additional~~
49 ~~position to assist in the continued implementation.~~
50 ~~i. (1) Of the funds appropriated in this~~

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1 subsection, \$65,050 shall be used for allocation
2 to an independent statewide direct care worker
3 association under a contract with terms determined by
4 the director of public health relating to education,
5 outreach, leadership development, mentoring, and other
6 initiatives intended to enhance the recruitment and
7 retention of direct care workers in health care and
8 long-term care settings.
9 (2) Of the funds appropriated in this subsection,
10 \$29,000 shall be used to provide scholarships or
11 other forms of subsidization for direct care worker
12 educational conferences, training, or outreach
13 activities.
14 j. Of the funds appropriated in this subsection,
15 the department may use up to \$29,259 \$58,518 for up to
16 one full-time equivalent position to administer the
17 volunteer health care provider program pursuant to
18 section 135.24.
19 k. Of the funds appropriated in this subsection,
20 \$25,000 \$50,000 shall be used for a matching dental
21 education loan repayment program to be allocated to a
22 dental nonprofit health service corporation to develop
23 the criteria and implement the loan repayment program.
24 l. The amount appropriated in this subsection
25 reflects a reduction in expenditures for office
26 supplies, purchases of equipment, office equipment,
27 printing and binding, and marketing, that shall
28 be applied equitably to the programs under this
29 subsection.
30 5. HEALTHY AGING
31 To provide public health services that reduce risks
32 and invest in promoting and protecting good health over
33 the course of a lifetime with a priority given to older
34 Iowans and vulnerable populations:
35 \$ 3,648,571
36 7,297,142
37 a. Of the funds appropriated in this subsection,
38 \$1,004,593 \$2,009,187 shall be used for local public
39 health nursing services.
40 b. Of the funds appropriated in this subsection,
41 \$2,643,977 \$5,287,955 shall be used for home care aide
42 services.
43 6. ENVIRONMENTAL HAZARDS
44 For reducing the public's exposure to hazards in the
45 environment, primarily chemical hazards, and for not
46 more than the following full-time equivalent positions:
47 \$ 406,888
48 803,870
49 FTEs 4.00
50 a. Of the funds appropriated in this subsection,

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1 ~~\$272,188~~ \$544,377 shall be used for childhood lead
2 poisoning provisions.
3 b. The amount appropriated in this subsection
4 reflects a reduction in expenditures for office
5 supplies, purchases of equipment, office equipment,
6 printing and binding, and marketing, that shall
7 be applied equitably to the programs under this
8 subsection.
9 7. INFECTIOUS DISEASES
10 For reducing the incidence and prevalence of
11 communicable diseases, and for not more than the
12 following full-time equivalent positions:
13 \$ ~~672,923~~
14 1,335,155
15 FTEs ~~4.00~~
16 The amount appropriated in this subsection reflects
17 a reduction in expenditures for office supplies,
18 purchases of equipment, office equipment, printing and
19 binding, and marketing, that shall be applied equitably
20 to the programs under this subsection.
21 8. PUBLIC PROTECTION
22 For protecting the health and safety of the
23 public through establishing standards and enforcing
24 regulations, and for not more than the following
25 full-time equivalent positions:
26 \$ ~~1,388,116~~
27 2,693,384
28 FTEs ~~125.00~~
29 a. Of the funds appropriated in this subsection,
30 not more than ~~\$235,845~~ \$471,690 shall be credited to
31 the emergency medical services fund created in section
32 135.25. Moneys in the emergency medical services fund
33 are appropriated to the department to be used for the
34 purposes of the fund.
35 b. Of the funds appropriated in this subsection,
36 ~~\$105,309~~ \$210,619 shall be used for sexual violence
37 prevention programming through a statewide organization
38 representing programs serving victims of sexual
39 violence through the department's sexual violence
40 prevention program. The amount allocated in this
41 lettered paragraph shall not be used to supplant
42 funding administered for other sexual violence
43 prevention or victims assistance programs.
44 c. Of the funds appropriated in this subsection,
45 not more than ~~\$218,291~~ \$539,477 shall be used for the
46 state poison control center.
47 d. Of the funds appropriated in this subsection,
48 \$50,000 shall be used for implementation of 2012 Iowa
49 Acts, Senate File 364, if enacted.
50 e. The amount appropriated in this subsection

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1 reflects a reduction in expenditures for office
2 supplies, purchases of equipment, office equipment,
3 printing and binding, and marketing, that shall
4 be applied equitably to the programs under this
5 subsection.
6 9. RESOURCE MANAGEMENT
7 For establishing and sustaining the overall
8 ability of the department to deliver services to the
9 public, and for not more than the following full-time
10 equivalent positions:
11 \$ 409,777
12 734,500
13 FTEs 7.00
14 The amount appropriated in this subsection reflects
15 a reduction in expenditures for office supplies,
16 purchases of equipment, office equipment, printing and
17 binding, and marketing, that shall be applied equitably
18 to the programs under this subsection.
19 The university of Iowa hospitals and clinics under
20 the control of the state board of regents shall not
21 receive indirect costs from the funds appropriated in
22 this section. The university of Iowa hospitals and
23 clinics billings to the department shall be on at least
24 a quarterly basis.
25 The department shall review and make recommendations
26 for consolidating or eliminating boards, commissions,
27 committees, councils, and other entities within
28 the departmental organization and under the purview
29 of the department to increase efficiencies and
30 reduce duplication. The department shall submit its
31 recommendations for consolidation or elimination to the
32 individuals specified in this Act for submission of
33 reports by December 15, 2012.
34 DIVISION III
35 DEPARTMENT OF VETERANS AFFAIRS
36 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,
37 is amended to read as follows:
38 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There
39 is appropriated from the general fund of the state to
40 the department of veterans affairs for the fiscal year
41 beginning July 1, 2012, and ending June 30, 2013, the
42 following amounts, or so much thereof as is necessary,
43 to be used for the purposes designated:
44 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
45 For salaries, support, maintenance, and
46 miscellaneous purposes, including the war orphans
47 educational assistance fund created in section
48 35.8, and for not more than the following full-time
49 equivalent positions:
50 \$ 499,416

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1
2 FTEs 1,025,819
3 2. IOWA VETERANS HOME 16.34
4 For salaries, support, maintenance, and
5 miscellaneous purposes:
6 \$ 4,476,075
7 8,775,714
8 a. The Iowa veterans home billings involving the
9 department of human services shall be submitted to the
10 department on at least a monthly basis.
11 b. If there is a change in the employer of
12 employees providing services at the Iowa veterans home
13 under a collective bargaining agreement, such employees
14 and the agreement shall be continued by the successor
15 employer as though there had not been a change in
16 employer.
17 c. Within available resources and in conformance
18 with associated state and federal program eligibility
19 requirements, the Iowa veterans home may implement
20 measures to provide financial assistance to or
21 on behalf of veterans or their spouses who are
22 participating in the community reentry program.
23 d. The Iowa veterans home expenditure report
24 shall be submitted monthly to the legislative services
25 agency.
26 e. The funds appropriated in this subsection
27 to the Iowa veterans home that remain available for
28 expenditure for the succeeding fiscal year pursuant to
29 section 35D.18, subsection 5, shall be distributed to
30 be used in the succeeding fiscal year in accordance
31 with this lettered paragraph. The first \$500,000 shall
32 remain available to be used for the purposes of the
33 Iowa veterans home. On or before October 15, 2013, the
34 department of management shall transfer the remaining
35 balance to the veterans trust fund created in section
36 35A.13.
37 f. The amount appropriated in this subsection
38 reflects a reduction in expenditures for office
39 supplies, purchases of equipment, office equipment,
40 printing and binding, and marketing, that shall
41 be applied equitably to the programs under this
42 subsection.
43 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF
44 DECEASED VETERANS
45 For provision of educational assistance pursuant to
46 section 35.9:
47 \$ 6,208
48 12,416
49 4. HOME OWNERSHIP ASSISTANCE PROGRAM
50 For transfer to the Iowa finance authority for the

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1 continuation of the home ownership assistance program
2 for persons who are or were eligible members of the
3 armed forces of the United States, pursuant to section
4 16.54:
5 \$ 1,600,000
6 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,
7 is amended to read as follows:
8 SEC. 116. LIMITATION OF COUNTY
9 COMMISSION OF VETERANS AFFAIRS FUND STANDING
10 APPROPRIATIONS. Notwithstanding the standing
11 appropriation in the following designated section for
12 the fiscal year beginning July 1, 2012, and ending June
13 30, 2013, the amounts appropriated from the general
14 fund of the state pursuant to that section for the
15 following designated purposes shall not exceed the
16 following amount:
17 For the county commissions of veterans affairs fund
18 under section 35A.16:
19 \$ ~~495,000~~
20 990,000
21
22 DIVISION IV
23 DEPARTMENT OF HUMAN SERVICES
24 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,
25 is amended to read as follows:
26 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
27 BLOCK GRANT. There is appropriated from the fund
28 created in section 8.41 to the department of human
29 services for the fiscal year beginning July 1, 2012,
30 and ending June 30, 2013, from moneys received under
31 the federal temporary assistance for needy families
32 (TANF) block grant pursuant to the federal Personal
33 Responsibility and Work Opportunity Reconciliation
34 Act of 1996, Pub. L. No. 104-193, and successor
35 legislation, and from moneys received under the
36 emergency contingency fund for temporary assistance
37 for needy families state program established pursuant
38 to the federal American Recovery and Reinvestment
39 Act of 2009, Pub. L. No. 111-5 § 2101, and successor
40 legislation, the following amounts, or so much
41 thereof as is necessary, to be used for the purposes
42 designated:
43 1. To be credited to the family investment program
44 account and used for assistance under the family
45 investment program under chapter 239B:
46 \$ ~~10,750,369~~
47 19,790,365
48 2. To be credited to the family investment program
49 account and used for the job opportunities and
50 basic skills (JOBS) program and implementing family
investment agreements in accordance with chapter 239B:

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1 \$ ~~6,205,764~~
2 12,411,528
3 3. To be used for the family development and
4 self-sufficiency grant program in accordance with
5 section 216A.107:
6 \$ ~~1,449,490~~
7 2,898,980
8 Notwithstanding section 8.33, moneys appropriated in
9 this subsection that remain unencumbered or unobligated
10 at the close of the fiscal year shall not revert but
11 shall remain available for expenditure for the purposes
12 designated until the close of the succeeding fiscal
13 year. However, unless such moneys are encumbered or
14 obligated on or before September 30, 2013, the moneys
15 shall revert.
16 4. For field operations:
17 \$ ~~15,648,116~~
18 31,296,232
19 5. For general administration:
20 \$ ~~1,872,000~~
21 3,744,000
22 6. For state child care assistance:
23 \$ ~~8,191,343~~
24 16,382,687
25 The funds appropriated in this subsection shall be
26 transferred to the child care and development block
27 grant appropriation made pursuant to 2011 Iowa Acts,
28 chapter 126, section 32, by the Eighty-fourth General
29 Assembly, ~~2012~~ 2011 Session, for the federal fiscal
30 year beginning October 1, 2012, and ending September
31 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall
32 be used for provision of educational opportunities
33 to registered child care home providers in order to
34 improve services and programs offered by this category
35 of providers and to increase the number of providers.
36 The department may contract with institutions of higher
37 education or child care resource and referral centers
38 to provide the educational opportunities. Allowable
39 administrative costs under the contracts shall not
40 exceed 5 percent. The application for a grant shall
41 not exceed two pages in length.
42 7. For distribution to counties for state case
43 ~~services for persons with mental health and illness,~~
44 ~~an intellectual disability, or a developmental~~
45 ~~disabilities community services disability in~~
46 ~~accordance with section 331.440:~~
47 \$ ~~2,447,026~~
48 4,894,052
49 8. For child and family services:
50 \$ ~~16,042,215~~

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1 32,084,430
2 9. For child abuse prevention grants:
3 \$ 62,500
4 125,000
5 10. For pregnancy prevention grants ~~on the~~
6 ~~condition that family planning services are funded:~~
7 \$ 965,033
8 1,930,067
9 Pregnancy prevention grants shall be awarded to
10 programs in existence on or before July 1, 2012, if the
11 programs have demonstrated positive outcomes. Grants
12 shall be awarded to pregnancy prevention programs
13 which are developed after July 1, 2012, if the programs
14 are based on existing models that have demonstrated
15 positive outcomes. Grants shall comply with the
16 requirements provided in 1997 Iowa Acts, chapter
17 208, section 14, subsections 1 and 2, including the
18 requirement that grant programs must emphasize sexual
19 abstinence. Priority in the awarding of grants shall
20 be given to programs that serve areas of the state
21 which demonstrate the highest percentage of unplanned
22 pregnancies of females of childbearing age within the
23 geographic area to be served by the grant.
24 11. For technology needs and other resources
25 necessary to meet federal welfare reform reporting,
26 tracking, and case management requirements:
27 \$ 518,593
28 1,037,186
29 12. To be credited to the state child care
30 assistance appropriation made in this section to be
31 used for funding of community-based early childhood
32 programs targeted to children from birth through five
33 years of age developed by early childhood Iowa areas as
34 provided in section 256I.11:
35 \$ 3,175,000
36 6,350,000
37 The department shall transfer TANF block grant
38 funding appropriated and allocated in this subsection
39 to the child care and development block grant
40 appropriation in accordance with federal law as
41 necessary to comply with the provisions of this
42 subsection.
43 13. a. Notwithstanding any provision to the
44 contrary, including but not limited to requirements
45 in section 8.41 or provisions in 2011 or 2012 Iowa
46 Acts regarding the receipt and appropriation of
47 federal block grants, federal funds from the ~~emergency~~
48 ~~contingency fund for temporary assistance for needy~~
49 ~~families state program established pursuant to the~~
50 ~~federal American Recovery and Reinvestment Act of 2009,~~

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1 ~~Pub. L. No. 111-5 § 2101, block grant received by the~~
2 ~~state during the fiscal year beginning July 1, 2011,~~
3 ~~and ending June 30, 2012, not otherwise appropriated~~
4 ~~in this section and remaining available as of for~~
5 ~~the fiscal year beginning July 1, 2012, and received~~
6 ~~by the state during the fiscal year beginning July~~
7 ~~1, 2012, and ending June 30, 2013, are appropriated~~
8 ~~to the department of human services to the extent as~~
9 ~~may be necessary to be used in the following priority~~
10 ~~order: the family investment program for the fiscal~~
11 ~~year and for state child care assistance program~~
12 ~~payments for individuals enrolled in the family~~
13 ~~investment program who are employed. The federal funds~~
14 ~~appropriated in this paragraph "a" shall be expended~~
15 ~~only after all other funds appropriated in subsection 1~~
16 ~~for the assistance under the family investment program~~
17 ~~under chapter 239B have been expended.~~

18 b. The department shall, on a quarterly basis,
19 advise the legislative services agency and department
20 of management of the amount of funds appropriated in
21 this subsection that was expended in the prior quarter.

22 14. Of the amounts appropriated in this section,
23 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning
24 July 1, 2012, shall be transferred to the appropriation
25 of the federal social services block grant made for
26 that fiscal year.

27 15. For continuation of the program allowing the
28 department to maintain categorical eligibility for the
29 food assistance program as required under the section
30 of this division relating to the family investment
31 account:

32 \$ 73,036
33 25,000

34 16. The department may transfer funds allocated
35 in this section to the appropriations made in this
36 division of this Act for general administration and
37 field operations for resources necessary to implement
38 and operate the services referred to in this section
39 and those funded in the appropriation made in this
40 division of this Act for the family investment program
41 from the general fund of the state.

42 Sec. 6. 2011 Iowa Acts, chapter 129, section 118,
43 is amended to read as follows:

44 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

45 1. Moneys credited to the family investment program
46 (FIP) account for the fiscal year beginning July
47 1, 2012, and ending June 30, 2013, shall be used to
48 provide assistance in accordance with chapter 239B.

49 2. The department may use a portion of the moneys
50 credited to the FIP account under this section as

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1 necessary for salaries, support, maintenance, and
2 miscellaneous purposes.
3 3. The department may transfer funds allocated in
4 this section to the appropriations in this division
5 of this Act for general administration and field
6 operations for resources necessary to implement and
7 operate the services referred to in this section and
8 those funded in the appropriation made in this division
9 of this Act for the family investment program from the
10 general fund of the state.
11 4. Moneys appropriated in this division of this Act
12 and credited to the FIP account for the fiscal year
13 beginning July 1, 2012, and ending June 30, 2013, are
14 allocated as follows:
15 a. To be retained by the department of human
16 services to be used for coordinating with the
17 department of human rights to more effectively serve
18 participants in the FIP program and other shared
19 clients and to meet federal reporting requirements
20 under the federal temporary assistance for needy
21 families block grant:
22 \$ ~~10,000~~
23 20,000
24 b. To the department of human rights for staffing,
25 administration, and implementation of the family
26 development and self-sufficiency grant program in
27 accordance with section 216A.107:
28 \$ ~~2,671,417~~
29 5,342,834
30 (1) Of the funds allocated for the family
31 development and self-sufficiency grant program in this
32 lettered paragraph, not more than 5 percent of the
33 funds shall be used for the administration of the grant
34 program.
35 (2) The department of human rights may continue to
36 implement the family development and self-sufficiency
37 grant program statewide during fiscal year 2012-2013.
38 c. For the diversion subaccount of the FIP account:
39 \$ ~~849,200~~
40 1,698,400
41 A portion of the moneys allocated for the subaccount
42 may be used for field operations salaries, data
43 management system development, and implementation
44 costs and support deemed necessary by the director of
45 human services in order to administer the FIP diversion
46 program.
47 d. For the food stamp employment and training
48 program:
49 \$ ~~33,294~~
50 66,588

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1 (1) The department shall amend the food stamp
2 employment and training state plan in order to maximize
3 to the fullest extent permitted by federal law the
4 use of the 50-50 match provisions for the claiming
5 of allowable federal matching funds from the United
6 States department of agriculture pursuant to the
7 federal food stamp employment and training program for
8 providing education, employment, and training services
9 for eligible food assistance program participants,
10 including but not limited to related dependent care and
11 transportation expenses.

12 (2) The department shall continue the categorical
13 federal food assistance program eligibility at 160
14 percent of the federal poverty level and continue to
15 eliminate the asset test from eligibility requirements,
16 consistent with federal food assistance program
17 requirements. The department shall include as many
18 food assistance households as is allowed by federal
19 law. The eligibility provisions shall conform to all
20 federal requirements including requirements addressing
21 individuals who are incarcerated or otherwise
22 ineligible.

23 e. For the JOBS program:

24 \$ ~~10,117,952~~
25 20,235,905

26 5. Of the child support collections assigned under
27 FIP, an amount equal to the federal share of support
28 collections shall be credited to the child support
29 recovery appropriation made in this division of this
30 Act. Of the remainder of the assigned child support
31 collections received by the child support recovery
32 unit, a portion shall be credited to the FIP account,
33 a portion may be used to increase recoveries, and a
34 portion may be used to sustain cash flow in the child
35 support payments account. If as a consequence of the
36 appropriations and allocations made in this section
37 the resulting amounts are insufficient to sustain
38 cash assistance payments and meet federal maintenance
39 of effort requirements, the department shall seek
40 supplemental funding. If child support collections
41 assigned under FIP are greater than estimated or are
42 otherwise determined not to be required for maintenance
43 of effort, the state share of either amount may be
44 transferred to or retained in the child support payment
45 account.

46 6. The department may adopt emergency rules for
47 the family investment, JOBS, food stamp, and medical
48 assistance programs if necessary to comply with federal
49 requirements.

50 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,

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1 is amended to read as follows:
2 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL
3 FUND. There is appropriated from the general fund of
4 the state to the department of human services for the
5 fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the following amount, or so much thereof as is
7 necessary, to be used for the purpose designated:
8 To be credited to the family investment program
9 (FIP) account and used for family investment program
10 assistance under chapter 239B:
11 \$ ~~25,085,513~~
12 45,286,573
13 1. Of the funds appropriated in this section,
14 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS
15 program.
16 2. Of the funds appropriated in this section,
17 ~~\$1,231,927~~ \$2,463,854 is allocated for the family
18 development and self-sufficiency grant program.
19 3. Notwithstanding section 8.39, for the fiscal
20 year beginning July 1, 2012, if necessary to meet
21 federal maintenance of effort requirements or to
22 transfer federal temporary assistance for needy
23 families block grant funding to be used for purposes
24 of the federal social services block grant or to meet
25 cash flow needs resulting from delays in receiving
26 federal funding or to implement, in accordance with
27 this division of this Act, activities currently funded
28 with juvenile court services, county, or community
29 moneys and state moneys used in combination with such
30 moneys, the department of human services may transfer
31 funds within or between any of the appropriations made
32 in this division of this Act and appropriations in law
33 for the federal social services block grant to the
34 department for the following purposes, provided that
35 the combined amount of state and federal temporary
36 assistance for needy families block grant funding for
37 each appropriation remains the same before and after
38 the transfer:
39 a. For the family investment program.
40 b. For child care assistance.
41 c. For child and family services.
42 d. For field operations.
43 e. For general administration.
44 f. ~~MH/MR/DD/BI community services (local purchase)-~~
45 For distribution to counties for state case services
46 for persons with mental illness, an intellectual
47 disability, or a developmental disability in accordance
48 with section 331.440.
49 This subsection shall not be construed to prohibit
50 the use of existing state transfer authority for other

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1 purposes. The department shall report any transfers
2 made pursuant to this subsection to the legislative
3 services agency.

4 4. Of the funds appropriated in this section,
5 ~~\$97,839~~ \$195,678 shall be used for continuation of a
6 grant to an Iowa-based nonprofit organization with a
7 history of providing tax preparation assistance to
8 low-income Iowans in order to expand the usage of the
9 earned income tax credit. The purpose of the grant is
10 to supply this assistance to underserved areas of the
11 state.

12 5. The amount appropriated in this section reflects
13 a reduction in expenditures for office supplies,
14 purchases of equipment, office equipment, printing and
15 binding, and marketing, that shall be applied equitably
16 to the programs under this section.

17 6. The department may transfer funds appropriated
18 in this section to the appropriations made in this
19 division of this Act for general administration and
20 field operations as necessary to administer this
21 section and the overall family investment program.

22 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,
23 is amended to read as follows:

24 SEC. 120. CHILD SUPPORT RECOVERY. There is
25 appropriated from the general fund of the state to
26 the department of human services for the fiscal year
27 beginning July 1, 2012, and ending June 30, 2013, the
28 following amount, or so much thereof as is necessary,
29 to be used for the purposes designated:

30 For child support recovery, including salaries,
31 support, maintenance, and miscellaneous purposes, and
32 for not more than the following full-time equivalent
33 positions:

| | | |
|----------|------|----------------------|
| 34 | \$ | 6,559,627 |
| 35 | | <u>12,549,560</u> |
| 36 | FTEs | 475.00 |

37 1. The department shall expend up to ~~\$12,164~~
38 \$24,329, including federal financial participation, for
39 the fiscal year beginning July 1, 2012, for a child
40 support public awareness campaign. The department and
41 the office of the attorney general shall cooperate in
42 continuation of the campaign. The public awareness
43 campaign shall emphasize, through a variety of media
44 activities, the importance of maximum involvement of
45 both parents in the lives of their children as well as
46 the importance of payment of child support obligations.

47 2. Federal access and visitation grant moneys shall
48 be issued directly to private not-for-profit agencies
49 that provide services designed to increase compliance
50 with the child access provisions of court orders,

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1 including but not limited to neutral visitation sites
2 and mediation services.

3 3. The appropriation made to the department for
4 child support recovery may be used throughout the
5 fiscal year in the manner necessary for purposes of
6 cash flow management, and for cash flow management
7 purposes the department may temporarily draw more
8 than the amount appropriated, provided the amount
9 appropriated is not exceeded at the close of the fiscal
10 year.

11 4. With the exception of the funding amount
12 specified, the requirements established under 2001
13 Iowa Acts, chapter 191, section 3, subsection 5,
14 paragraph "c", subparagraph (3), shall be applicable
15 to parental obligation pilot projects for the fiscal
16 year beginning July 1, 2012, and ending June 30,
17 2013. Notwithstanding 441 IAC 100.8, providing for
18 termination of rules relating to the pilot projects,
19 the rules shall remain in effect until June 30, 2013.

20 5. The amount appropriated in this section reflects
21 a reduction in expenditures for office supplies,
22 purchases of equipment, office equipment, printing and
23 binding, and marketing.

24 MEDICAL ASSISTANCE PROGRAM

25 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,
26 unnumbered paragraph 2, is amended to read as follows:

27 For medical assistance program reimbursement and
28 associated costs as specifically provided in the
29 reimbursement methodologies in effect on June 30,
30 2012, except as otherwise expressly authorized by
31 law, and consistent with options under federal law and
32 regulations:

33 ~~\$914,993,421~~
34 950,526,658

35 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

36 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
37 subsection 11, paragraph a, unnumbered paragraph 1, is
38 amended to read as follows:

39 Of the funds appropriated in this section,
40 ~~\$7,425,684~~ \$7,678,245 is allocated for the state
41 match for a disproportionate share hospital payment
42 of \$19,133,430 to hospitals that meet both of the
43 conditions specified in subparagraphs (1) and (2).
44 In addition, the hospitals that meet the conditions
45 specified shall either certify public expenditures
46 or transfer to the medical assistance program an
47 amount equal to provide the nonfederal share for a
48 disproportionate share hospital payment of \$7,500,000.
49 The hospitals that meet the conditions specified
50 shall receive and retain 100 percent of the total

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1 disproportionate share hospital payment of \$26,633,430.
2 MEDICAL ASSISTANCE — IOWACARE TRANSFER
3 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
4 subsection 13, is amended to read as follows:
5 13. Of the funds appropriated in this section,
6 up to ~~\$4,480,304~~ \$8,684,329 may be transferred to the
7 IowaCare account created in section 249J.24.
8 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES
9 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
10 subsection 20, paragraphs a and d, are amended to read
11 as follows:
12 a. The department may continue to implement cost
13 containment strategies recommended by the governor, ~~and~~
14 for the fiscal year beginning July 1, 2011, and shall
15 implement new strategies for the fiscal year beginning
16 July 1, 2012, as specified in this division of this
17 2012 Act. It is the intent of the general assembly
18 that the cost containment strategies are implemented
19 only to the extent necessary to achieve projected
20 savings. The department may adopt emergency rules for
21 such implementation.
22 d. If the savings to the medical assistance program
23 for the fiscal year beginning July 1, 2012, exceed
24 the cost, the department may transfer any savings
25 generated for the fiscal year due to medical assistance
26 program cost containment efforts initiated pursuant
27 to 2010 Iowa Acts, chapter 1031, Executive Order No.
28 20, issued December 16, 2009, or cost containment
29 strategies initiated pursuant to this subsection, to
30 the appropriation made in this division of this Act
31 for medical contracts or general administration to
32 defray the increased contract costs associated with
33 implementing such efforts.
34 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
35 is amended by adding the following new subsections:
36 NEW SUBSECTION. 23. The department shall align
37 reimbursement for prescription drugs administered by a
38 physician to be equivalent to the reimbursement for the
39 same prescription drug when dispensed by a pharmacy.
40 NEW SUBSECTION. 24. The department shall implement
41 a hospital inpatient reimbursement policy to provide
42 for the combining of an original claim for an inpatient
43 stay with a claim for a subsequent inpatient stay when
44 the patient is admitted within seven days of discharge
45 from the original hospital stay for the same condition.
46 NEW SUBSECTION. 25. The department shall
47 transition payment for and administration of services
48 provided by psychiatric medical institutions for
49 children to the Iowa plan.
50 NEW SUBSECTION. 26. The department shall adjust

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1 medical assistance reimbursement rates for physician
2 services by applying a site-of-service differential to
3 reflect the difference between the cost of physician
4 services when provided in a health facility setting
5 and the cost of physician services when provided in a
6 physician's office. The adjustment shall be applied
7 in a manner that does not exceed \$1 million in medical
8 assistance program cost savings annually.

9 NEW SUBSECTION. 27. The amount appropriated in
10 this section reflects a reduction in expenditures
11 for office supplies, purchases of equipment, office
12 equipment, printing and binding, and marketing, that
13 shall be applied equitably to the programs under this
14 section.

15 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH
16 DISABILITIES

17 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 28. The department of human
20 services shall adopt rules for the Medicaid for
21 employed people with disabilities program to provide
22 that until such time as the department adopts
23 rules, annually, to implement the most recently
24 revised poverty guidelines published by the United
25 States department of health and human services, the
26 calculation of gross income eligibility and premium
27 amounts shall not include any increase in unearned
28 income attributable to a social security cost-of-living
29 adjustment for an individual or member of the
30 individual's family whose unearned income is included
31 in such calculation.

32 OUTPATIENT CLINICAL SERVICE FOR CHILDREN

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 29. a. Of the funds appropriated
36 in this section, not more than \$50,000 shall be used
37 to provide cost-based reimbursement for 100 percent
38 of the reasonable costs for provision of outpatient
39 clinical services for children who are recipients
40 of medical assistance. In order to be eligible for
41 reimbursement under this subsection, a provider shall
42 be an accredited, nonprofit agency that meets all of
43 the following criteria on or before January 1, 2012:

44 (1) Provides clinical outpatient services to
45 children of whom at least 60 percent are recipients of
46 medical assistance.

47 (2) Provides inpatient services licensed under
48 chapter 135H, outpatient services, psychiatric
49 and psychological services, and behavioral health
50 intervention services for children.

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1 (3) Directly employs a full-time psychiatrist,
2 psychologist, and licensed therapist.
3 b. The department of human services shall seek
4 federal approval to amend the medical assistance
5 program state plan and shall amend the contract with
6 the department's managed care contractor for behavioral
7 health services under the medical assistance program to
8 provide reimbursement as specified in this subsection.
9 Implementation of this subsection is contingent
10 upon receipt of such federal approval and total
11 reimbursements are limited to the funding allocated
12 under this subsection.
13 c. For the purposes of this subsection, "outpatient
14 services" means psychiatric care, psychological care,
15 and treatment services, but does not include behavioral
16 health intervention services or child welfare
17 services as defined for existing providers under the
18 department's managed care contract for behavioral
19 health services.
20 STATE BALANCING INCENTIVE PAYMENTS PROGRAM
21 Sec. 16. 2011 Iowa Acts, chapter 129, section 122,
22 is amended by adding the following new subsection:
23 NEW SUBSECTION. 30. The funds received through
24 participation in the medical assistance state balancing
25 incentive payments program created pursuant to section
26 10202 of the federal Patient Protection and Affordable
27 Care Act of 2010, Pub. L. No. 111-148 (2010), as
28 amended by the federal Health Care and Education
29 Reconciliation Act of 2010, Pub. L. No. 111-152,
30 shall be used by the department of human services to
31 comply with the requirements of the program including
32 developing a no wrong door single entry point system;
33 providing a conflict-free case management system;
34 providing core standardized assessment instruments;
35 complying with data collection requirements relating to
36 services, quality, and outcomes; meeting the applicable
37 target spending percentage required under the program
38 to rebalance long-term care spending under the medical
39 assistance program between home and community-based
40 services and institution-based services; and for new or
41 expanded medical assistance program non-institutionally
42 based long-term care services and supports.
43 Sec. 17. 2011 Iowa Acts, chapter 129, section 123,
44 is amended to read as follows:
45 SEC. 123. MEDICAL CONTRACTS. There is appropriated
46 from the general fund of the state to the department of
47 human services for the fiscal year beginning July 1,
48 2012, and ending June 30, 2013, the following amount,
49 or so much thereof as is necessary, to be used for the
50 purpose designated:

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1 For medical contracts:
2 \$ ~~5,453,728~~
3 7,117,155
4 1. The department of inspections and appeals
5 shall provide all state matching funds for survey and
6 certification activities performed by the department
7 of inspections and appeals. The department of human
8 services is solely responsible for distributing the
9 federal matching funds for such activities.
10 2. Of the funds appropriated in this section,
11 ~~\$25,000~~ \$50,000 shall be used for continuation of home
12 and community-based services waiver quality assurance
13 programs, including the review and streamlining of
14 processes and policies related to oversight and quality
15 management to meet state and federal requirements.
16 3. Of the amount appropriated in this section, up
17 to \$200,000 may be transferred to the appropriation for
18 general administration in this division of this Act to
19 be used for additional full-time equivalent positions
20 in the development of key health initiatives such as
21 cost containment, development and oversight of managed
22 care programs, and development of health strategies
23 targeted toward improved quality and reduced costs in
24 the Medicaid program.
25 4. The amount appropriated in this section reflects
26 a reduction in expenditures for office supplies,
27 purchases of equipment, office equipment, printing and
28 binding, and marketing budgeted for under this section.
29 Sec. 18. 2011 Iowa Acts, chapter 129, section 124,
30 is amended to read as follows:
31 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.
32 1. There is appropriated from the general fund of
33 the state to the department of human services for the
34 fiscal year beginning July 1, 2012, and ending June 30,
35 2013, the following amount, or so much thereof as is
36 necessary, to be used for the purpose designated:
37 For the state supplementary assistance program:
38 \$ ~~8,425,373~~
39 15,450,747
40 2. The department shall increase the personal needs
41 allowance for residents of residential care facilities
42 by the same percentage and at the same time as federal
43 supplemental security income and federal social
44 security benefits are increased due to a recognized
45 increase in the cost of living. The department may
46 adopt emergency rules to implement this subsection.
47 3. If during the fiscal year beginning July 1,
48 2012, the department projects that state supplementary
49 assistance expenditures for a calendar year will not
50 meet the federal pass-through requirement specified

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1 in Tit. XVI of the federal Social Security Act,
2 section 1618, as codified in 42 U.S.C. § 1382g,
3 the department may take actions including but not
4 limited to increasing the personal needs allowance
5 for residential care facility residents and making
6 programmatic adjustments or upward adjustments of the
7 residential care facility or in-home health-related
8 care reimbursement rates prescribed in this division of
9 this Act to ensure that federal requirements are met.
10 In addition, the department may make other programmatic
11 and rate adjustments necessary to remain within the
12 amount appropriated in this section while ensuring
13 compliance with federal requirements. The department
14 may adopt emergency rules to implement the provisions
15 of this subsection.

16 Sec. 19. 2011 Iowa Acts, chapter 129, section 125,
17 is amended to read as follows:

18 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

19 1. There is appropriated from the general fund of
20 the state to the department of human services for the
21 fiscal year beginning July 1, 2012, and ending June 30,
22 2013, the following amount, or so much thereof as is
23 necessary, to be used for the purpose designated:

24 For maintenance of the healthy and well kids in Iowa
25 (hawk-i) program pursuant to chapter 514I, including
26 supplemental dental services, for receipt of federal
27 financial participation under Tit. XXI of the federal
28 Social Security Act, which creates the children's
29 health insurance program:

30 \$ ~~16,403,051~~
31 36,806,102

32 2. Of the funds appropriated in this section,
33 ~~\$64,475~~ \$141,450 is allocated for continuation of the
34 contract for outreach with the department of public
35 health.

36 Sec. 20. 2011 Iowa Acts, chapter 129, section 126,
37 is amended to read as follows:

38 SEC. 126. CHILD CARE ASSISTANCE. There is
39 appropriated from the general fund of the state to
40 the department of human services for the fiscal year
41 beginning July 1, 2012, and ending June 30, 2013, the
42 following amount, or so much thereof as is necessary,
43 to be used for the purpose designated:

44 For child care programs:

45 \$ ~~26,618,831~~
46 61,064,552

47 1. Of the funds appropriated in this section,
48 ~~\$25,948,041~~ \$59,695,125 shall be used for state child
49 care assistance in accordance with section 237A.13.

50 2. Nothing in this section shall be construed or

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1 is intended as or shall imply a grant of entitlement
2 for services to persons who are eligible for assistance
3 due to an income level consistent with the waiting
4 list requirements of section 237A.13. Any state
5 obligation to provide services pursuant to this section
6 is limited to the extent of the funds appropriated in
7 this section.

8 3. Of the funds appropriated in this section,
9 ~~\$216,226~~ \$432,453 is allocated for the statewide
10 program for child care resource and referral services
11 under section 237A.26. A list of the registered and
12 licensed child care facilities operating in the area
13 served by a child care resource and referral service
14 shall be made available to the families receiving state
15 child care assistance in that area.

16 4. Of the funds appropriated in this section,
17 ~~\$468,487~~ \$936,974 is allocated for child care quality
18 improvement initiatives including but not limited to
19 the voluntary quality rating system in accordance with
20 section 237A.30.

21 5. The department may use any of the funds
22 appropriated in this section as a match to obtain
23 federal funds for use in expanding child care
24 assistance and related programs. For the purpose of
25 expenditures of state and federal child care funding,
26 funds shall be considered obligated at the time
27 expenditures are projected or are allocated to the
28 department's service areas. Projections shall be based
29 on current and projected caseload growth, current and
30 projected provider rates, staffing requirements for
31 eligibility determination and management of program
32 requirements including data systems management,
33 staffing requirements for administration of the
34 program, contractual and grant obligations and any
35 transfers to other state agencies, and obligations for
36 decategorization or innovation projects.

37 6. A portion of the state match for the federal
38 child care and development block grant shall be
39 provided as necessary to meet federal matching
40 funds requirements through the state general fund
41 appropriation made for child development grants and
42 other programs for at-risk children in section 279.51.

43 7. If a uniform reduction ordered by the governor
44 under section 8.31 or other operation of law,
45 transfer, or federal funding reduction reduces the
46 appropriation made in this section for the fiscal year,
47 the percentage reduction in the amount paid out to or
48 on behalf of the families participating in the state
49 child care assistance program shall be equal to or
50 less than the percentage reduction made for any other

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1 purpose payable from the appropriation made in this
2 section and the federal funding relating to it. The
3 percentage reduction to the other allocations made in
4 this section shall be the same as the uniform reduction
5 ordered by the governor or the percentage change of the
6 federal funding reduction, as applicable. If there is
7 an unanticipated increase in federal funding provided
8 for state child care assistance, the entire amount
9 of the increase shall be used for state child care
10 assistance payments. If the appropriations made for
11 purposes of the state child care assistance program for
12 the fiscal year are determined to be insufficient, it
13 is the intent of the general assembly to appropriate
14 sufficient funding for the fiscal year in order to
15 avoid establishment of waiting list requirements.

16 8. Notwithstanding section 8.33, moneys
17 ~~appropriated in this section or advanced for purposes~~
18 ~~of the programs developed by early childhood Iowa~~
19 ~~areas, advanced for purposes of wraparound child care,~~
20 ~~or received from the federal appropriations made for~~
21 ~~the purposes of this section that remain unencumbered~~
22 ~~or unobligated at the close of the fiscal year shall~~
23 ~~not revert to any fund but shall remain available for~~
24 ~~expenditure for the purposes designated until the close~~
25 ~~of the succeeding fiscal year.~~

26 9. The amount appropriated in this section reflects
27 a reduction in expenditures for office supplies,
28 purchases of equipment, office equipment, printing and
29 binding, and marketing, that shall be applied equitably
30 to the programs under this section.

31 Sec. 21. 2011 Iowa Acts, chapter 129, section 127,
32 is amended to read as follows:

33 SEC. 127. JUVENILE INSTITUTIONS. There is
34 appropriated from the general fund of the state to
35 the department of human services for the fiscal year
36 beginning July 1, 2012, and ending June 30, 2013, the
37 following amounts, or so much thereof as is necessary,
38 to be used for the purposes designated:

39 1. For operation of the Iowa juvenile home at
40 Toledo and for salaries, support, maintenance, and
41 miscellaneous purposes, and for not more than the
42 following full-time equivalent positions:
43 \$ 4,129,125
44 8,297,765
45 FTEs 114.00

46 The amount appropriated in this subsection reflects
47 a reduction in expenditures for office supplies,
48 purchases of equipment, office equipment, printing
49 and binding, and marketing budgeted for under this
50 subsection.

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1 2. For operation of the state training school at
2 Eldora and for salaries, support, maintenance, and
3 miscellaneous purposes, and for not more than the
4 following full-time equivalent positions:
5 \$ 5,319,338
6 10,680,143
7 FTEs 164.30
8 a. Of the funds appropriated in this subsection,
9 ~~\$45,575~~ \$91,150 shall be used for distribution
10 to licensed classroom teachers at this and other
11 institutions under the control of the department of
12 human services based upon the average student yearly
13 enrollment at each institution as determined by the
14 department.
15 b. The amount appropriated in this subsection
16 reflects a reduction in expenditures for office
17 supplies, purchases of equipment, office equipment,
18 printing and binding, and marketing budgeted for under
19 this subsection.
20 3. A portion of the moneys appropriated in this
21 section shall be used by the state training school and
22 by the Iowa juvenile home for grants for adolescent
23 pregnancy prevention activities at the institutions in
24 the fiscal year beginning July 1, 2012.
25 Sec. 22. 2011 Iowa Acts, chapter 129, section 128,
26 is amended to read as follows:
27 SEC. 128. CHILD AND FAMILY SERVICES.
28 1. There is appropriated from the general fund of
29 the state to the department of human services for the
30 fiscal year beginning July 1, 2012, and ending June 30,
31 2013, the following amount, or so much thereof as is
32 necessary, to be used for the purpose designated:
33 For child and family services:
34 \$ ~~41,415,081~~
35 79,721,886
36 2. In order to address a reduction of \$5,200,000
37 from the amount allocated under the appropriation made
38 for the purposes of this section in prior years for
39 purposes of juvenile delinquent graduated sanction
40 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of
41 federal temporary assistance for needy families block
42 grant funding appropriated in this division of this Act
43 for child and family services shall be made available
44 for purposes of juvenile delinquent graduated sanction
45 services.
46 3. The department may transfer funds appropriated
47 in this section as necessary to pay the nonfederal
48 costs of services reimbursed under the medical
49 assistance program, state child care assistance
50 program, or the family investment program which are

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1 provided to children who would otherwise receive
2 services paid under the appropriation in this section.
3 The department may transfer funds appropriated in this
4 section to the appropriations made in this division
5 of this Act for general administration and for field
6 operations for resources necessary to implement and
7 operate the services funded in this section. The
8 department may transfer funds appropriated in this
9 section to the appropriation made in this division of
10 this Act for adoption subsidy to support the adjustment
11 in reimbursement rates for specified child welfare
12 providers as provided in this 2012 Act.

13 4. a. Of the funds appropriated in this section,
14 up to ~~\$15,084,564~~ \$30,837,098 is allocated as the
15 statewide expenditure target under section 232.143
16 for group foster care maintenance and services. If
17 the department projects that such expenditures for
18 the fiscal year will be less than the target amount
19 allocated in this lettered paragraph, the department
20 may reallocate the excess to provide additional
21 funding for shelter care or the child welfare emergency
22 services addressed with the allocation for shelter
23 care.

24 b. If at any time after September 30, 2012,
25 annualization of a service area's current expenditures
26 indicates a service area is at risk of exceeding its
27 group foster care expenditure target under section
28 232.143 by more than 5 percent, the department and
29 juvenile court services shall examine all group
30 foster care placements in that service area in order
31 to identify those which might be appropriate for
32 termination. In addition, any aftercare services
33 believed to be needed for the children whose
34 placements may be terminated shall be identified. The
35 department and juvenile court services shall initiate
36 action to set dispositional review hearings for the
37 placements identified. In such a dispositional review
38 hearing, the juvenile court shall determine whether
39 needed aftercare services are available and whether
40 termination of the placement is in the best interest of
41 the child and the community.

42 5. In accordance with the provisions of section
43 232.188, the department shall continue the child
44 welfare and juvenile justice funding initiative during
45 fiscal year 2012-2013. Of the funds appropriated
46 in this section, ~~\$858,876~~ \$1,717,753 is allocated
47 specifically for expenditure for fiscal year 2012-2013
48 through the decategorization service funding pools
49 and governance boards established pursuant to section
50 232.188.

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1 6. A portion of the funds appropriated in this
2 section may be used for emergency family assistance
3 to provide other resources required for a family
4 participating in a family preservation or reunification
5 project or successor project to stay together or to be
6 reunified.

7 7. Notwithstanding section 234.35 or any other
8 provision of law to the contrary, state funding for
9 shelter care and the child welfare emergency services
10 contracting implemented to provide for or prevent the
11 need for shelter care shall be limited to ~~\$3,585,058~~
12 \$6,470,116. The department may continue or execute
13 contracts that result from the department's request for
14 proposal, bid number ACFS-11-114, to provide the range
15 of child welfare emergency services described in the
16 request for proposals, and any subsequent amendments to
17 the request for proposals.

18 8. Federal funds received by the state during
19 the fiscal year beginning July 1, 2012, as the
20 result of the expenditure of state funds appropriated
21 during a previous state fiscal year for a service or
22 activity funded under this section are appropriated
23 to the department to be used as additional funding
24 for services and purposes provided for under this
25 section. Notwithstanding section 8.33, moneys
26 received in accordance with this subsection that remain
27 unencumbered or unobligated at the close of the fiscal
28 year shall not revert to any fund but shall remain
29 available for the purposes designated until the close
30 of the succeeding fiscal year.

31 ~~9. Of the funds appropriated in this section, at~~
32 ~~least \$1,848,142 shall be used for protective child~~
33 ~~care assistance.~~

34 10. a. Of the funds appropriated in this section,
35 up to ~~\$1,031,244~~ \$2,062,488 is allocated for the
36 payment of the expenses of court-ordered services
37 provided to juveniles who are under the supervision of
38 juvenile court services, which expenses are a charge
39 upon the state pursuant to section 232.141, subsection
40 4. Of the amount allocated in this lettered paragraph,
41 up to ~~\$778,143~~ \$1,556,287 shall be made available
42 to provide school-based supervision of children
43 adjudicated under chapter 232, of which not more than
44 ~~\$7,500~~ \$15,000 may be used for the purpose of training.
45 A portion of the cost of each school-based liaison
46 officer shall be paid by the school district or other
47 funding source as approved by the chief juvenile court
48 officer.

49 b. Of the funds appropriated in this section, up to
50 ~~\$374,492~~ \$748,985 is allocated for the payment of the

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1 expenses of court-ordered services provided to children
2 who are under the supervision of the department,
3 which expenses are a charge upon the state pursuant to
4 section 232.141, subsection 4.

5 c. Notwithstanding section 232.141 or any other
6 provision of law to the contrary, the amounts allocated
7 in this subsection shall be distributed to the
8 judicial districts as determined by the state court
9 administrator and to the department's service areas as
10 determined by the administrator of the department's
11 division of child and family services. The state court
12 administrator and the division administrator shall make
13 the determination of the distribution amounts on or
14 before June 15, 2012.

15 d. Notwithstanding chapter 232 or any other
16 provision of law to the contrary, a district or
17 juvenile court shall not order any service which is
18 a charge upon the state pursuant to section 232.141
19 if there are insufficient court-ordered services
20 funds available in the district court or departmental
21 service area distribution amounts to pay for the
22 service. The chief juvenile court officer and the
23 departmental service area manager shall encourage use
24 of the funds allocated in this subsection such that
25 there are sufficient funds to pay for all court-related
26 services during the entire year. The chief juvenile
27 court officers and departmental service area managers
28 shall attempt to anticipate potential surpluses and
29 shortfalls in the distribution amounts and shall
30 cooperatively request the state court administrator
31 or division administrator to transfer funds between
32 the judicial districts' or departmental service areas'
33 distribution amounts as prudent.

34 e. Notwithstanding any provision of law to the
35 contrary, a district or juvenile court shall not order
36 a county to pay for any service provided to a juvenile
37 pursuant to an order entered under chapter 232 which
38 is a charge upon the state under section 232.141,
39 subsection 4.

40 f. Of the funds allocated in this subsection, not
41 more than ~~\$41,500~~ \$83,000 may be used by the judicial
42 branch for administration of the requirements under
43 this subsection.

44 g. Of the funds allocated in this subsection,
45 ~~\$8,500~~ \$17,000 shall be used by the department of human
46 services to support the interstate commission for
47 juveniles in accordance with the interstate compact for
48 juveniles as provided in section 232.173.

49 11. Of the funds appropriated in this section,
50 ~~\$2,961,301~~ \$5,922,602 is allocated for juvenile

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1 delinquent graduated sanctions services. Any state
2 funds saved as a result of efforts by juvenile court
3 services to earn federal Tit. IV-E match for juvenile
4 court services administration may be used for the
5 juvenile delinquent graduated sanctions services.
6 12. Of the funds appropriated in this section,
7 ~~\$494,142~~ \$1,088,285 shall be transferred to the
8 department of public health to be used for the child
9 protection center grant program in accordance with
10 section 135.118. Of the amount allocated in this
11 subsection, \$100,000 shall be used for a center for the
12 Black Hawk county area.
13 13. If the department receives federal approval
14 to implement a waiver under Tit. IV-E of the federal
15 Social Security Act to enable providers to serve
16 children who remain in the children's families and
17 communities, for purposes of eligibility under the
18 medical assistance program, children who participate in
19 the waiver shall be considered to be placed in foster
20 care.
21 14. Of the funds appropriated in this section,
22 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation
23 for adult living program pursuant to section 234.46.
24 15. Of the funds appropriated in this section,
25 ~~\$260,075~~ \$520,150 shall be used for juvenile drug
26 courts. The amount allocated in this subsection shall
27 be distributed as follows:
28 To the judicial branch for salaries to assist with
29 the operation of juvenile drug court programs operated
30 in the following jurisdictions:
31 a. Marshall county:
32 \$ 31,354
33 62,708
34 b. Woodbury county:
35 \$ 62,841
36 125,682
37 c. Polk county:
38 \$ 97,946
39 195,892
40 d. The third judicial district:
41 \$ 33,967
42 67,934
43 e. The eighth judicial district:
44 \$ 33,967
45 67,934
46 16. Of the funds appropriated in this section,
47 ~~\$113,668~~ \$227,337 shall be used for the public purpose
48 of ~~providing~~ continuing a grant to a nonprofit human
49 services organization providing services to individuals
50 and families in multiple locations in southwest

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1 Iowa and Nebraska for support of a project providing
2 immediate, sensitive support and forensic interviews,
3 medical exams, needs assessments, and referrals for
4 victims of child abuse and their nonoffending family
5 members.
6 17. Of the funds appropriated in this section,
7 ~~\$62,795~~ \$125,590 is allocated for the elevate foster
8 care youth council approach of providing a support
9 network to children placed in foster care.
10 18. Of the funds appropriated in this section,
11 ~~\$101,000~~ \$202,000 is allocated for use pursuant to
12 section 235A.1 for continuation of the initiative to
13 address child sexual abuse implemented pursuant to 2007
14 Iowa Acts, chapter 218, section 18, subsection 21.
15 19. Of the funds appropriated in this section,
16 ~~\$315,120~~ \$630,240 is allocated for the community
17 partnership for child protection sites.
18 20. Of the funds appropriated in this section,
19 ~~\$185,625~~ \$371,250 is allocated for the department's
20 minority youth and family projects under the redesign
21 of the child welfare system.
22 21. Of the funds appropriated in this section,
23 ~~\$600,247~~ \$1,436,595 is allocated for funding of the
24 state match for community circle of care collaboration
25 for children and youth in northeast Iowa, formerly
26 referred to as the federal substance abuse and mental
27 health services administration (SAMHSA) system of care
28 grant.
29 22. Of the funds appropriated in this section, at
30 least ~~\$73,579~~ \$147,158 shall be used for the child
31 welfare training academy.
32 23. Of the funds appropriated in this section,
33 ~~\$12,500~~ \$25,000 shall be used for the public purpose
34 of continuation of a grant to a child welfare services
35 provider headquartered in a county with a population
36 between 205,000 and 215,000 in the latest certified
37 federal census that provides multiple services
38 including but not limited to a psychiatric medical
39 institution for children, shelter, residential
40 treatment, after school programs, school-based
41 programming, and an Asperger's syndrome program, to
42 be used for support services for children with autism
43 spectrum disorder and their families.
44 24. Of the funds appropriated in this section
45 ~~\$125,000~~ \$327,947 shall be used for continuation of the
46 central Iowa system of care program grant through June
47 30, 2013.
48 25. Of the funds appropriated in this section,
49 ~~\$80,000~~ \$160,000 shall be used for the public
50 purpose of the continuation of a system of care

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1 grant implemented in Cerro Gordo and Linn counties in
2 accordance with this Act in FY 2011-2012.

3 26. Of the funds appropriated in this section,
4 at least \$25,000 shall be used to continue and to
5 expand the foster care respite program in which
6 postsecondary students in social work and other human
7 services-related programs receive experience by
8 assisting family foster care providers with respite and
9 other support.

10 27. The amount appropriated in this section
11 reflects a reduction in expenditures for office
12 supplies, purchases of equipment, office equipment,
13 printing and binding, and marketing, and shall be
14 applied equitably to the programs under this section.

15 Sec. 23. 2011 Iowa Acts, chapter 129, section 129,
16 is amended to read as follows:

17 SEC. 129. ADOPTION SUBSIDY.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For adoption subsidy payments and services:
24 \$ ~~16,633,295~~
25 37,788,576

26 2. The department may transfer funds appropriated
27 in this section to the appropriation made in this
28 division of this Act for general administration
29 for costs paid from the appropriation relating to
30 adoption subsidy. The department may transfer funds
31 appropriated in this section to the appropriation
32 made in this division of this Act for child and family
33 services to support the adjustment in reimbursement
34 rates for specified child welfare providers as provided
35 in this 2012 Act.

36 3. Federal funds received by the state during the
37 fiscal year beginning July 1, 2012, as the result of
38 the expenditure of state funds during a previous state
39 fiscal year for a service or activity funded under
40 this section are appropriated to the department to
41 be used as additional funding for the services and
42 activities funded under this section. Notwithstanding
43 section 8.33, moneys received in accordance with this
44 subsection that remain unencumbered or unobligated at
45 the close of the fiscal year shall not revert to any
46 fund but shall remain available for expenditure for the
47 purposes designated until the close of the succeeding
48 fiscal year.

49 Sec. 24. 2011 Iowa Acts, chapter 129, section 131,
50 is amended to read as follows:

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1 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.
2 1. There is appropriated from the general fund of
3 the state to the department of human services for the
4 fiscal year beginning July 1, 2012, and ending June 30,
5 2013, the following amount, or so much thereof as is
6 necessary, to be used for the purpose designated:
7 For the family support subsidy program subject
8 to the enrollment restrictions in section 225C.37,
9 subsection 3:
10 \$ 583,999
11 1,096,784
12 2. The department shall use at least ~~\$192,750~~
13 \$385,500 of the moneys appropriated in this section
14 for the family support center component of the
15 comprehensive family support program under section
16 225C.47. Not more than ~~\$12,500~~ \$25,000 of the
17 amount allocated in this subsection shall be used for
18 administrative costs.
19 3. If at any time during the fiscal year, the
20 amount of funding available for the family support
21 subsidy program is reduced from the amount initially
22 used to establish the figure for the number of family
23 members for whom a subsidy is to be provided at any one
24 time during the fiscal year, notwithstanding section
25 225C.38, subsection 2, the department shall revise the
26 figure as necessary to conform to the amount of funding
27 available.
28 Sec. 25. 2011 Iowa Acts, chapter 129, section 132,
29 is amended to read as follows:
30 SEC. 132. CONNER DECREE. There is appropriated
31 from the general fund of the state to the department of
32 human services for the fiscal year beginning July 1,
33 2012, and ending June 30, 2013, the following amount,
34 or so much thereof as is necessary, to be used for the
35 purpose designated:
36 For building community capacity through the
37 coordination and provision of training opportunities
38 in accordance with the consent decree of Conner v.
39 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
40 \$ ~~16,811~~
41 33,622
42 Sec. 26. 2011 Iowa Acts, chapter 129, section 133,
43 is amended to read as follows:
44 SEC. 133. MENTAL HEALTH INSTITUTES. There is
45 appropriated from the general fund of the state to
46 the department of human services for the fiscal year
47 beginning July 1, 2012, and ending June 30, 2013, the
48 following amounts, or so much thereof as is necessary,
49 to be used for the purposes designated:
50 1. For the state mental health institute at

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1 Cherokee for salaries, support, maintenance, and
2 miscellaneous purposes, and for not more than the
3 following full-time equivalent positions:
4 \$ ~~2,938,654~~
5 ~~5,535,738~~
6 FTEs ~~168.50~~
7 The amount appropriated in this subsection reflects
8 a reduction in expenditures for office supplies,
9 purchases of equipment, office equipment, printing and
10 binding, and marketing under the purview of the mental
11 health institute.
12 2. For the state mental health institute at
13 Clarinda for salaries, support, maintenance, and
14 miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:
16 \$ ~~3,205,867~~
17 ~~6,442,688~~
18 FTEs ~~86.10~~
19 The amount appropriated in this subsection reflects
20 a reduction in expenditures for office supplies,
21 purchases of equipment, office equipment, printing and
22 binding, and marketing under the purview of the mental
23 health institute.
24 3. For the state mental health institute at
25 Independence for salaries, support, maintenance, and
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:
28 \$ ~~5,137,842~~
29 ~~9,738,520~~
30 FTEs ~~233.00~~
31 The amount appropriated in this subsection reflects
32 a reduction in expenditures for office supplies,
33 purchases of equipment, office equipment, printing and
34 binding, and marketing under the purview of the mental
35 health institute.
36 4. For the state mental health institute at Mount
37 Pleasant for salaries, support, maintenance, and
38 miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:
40 \$ ~~472,161~~
41 ~~885,459~~
42 FTEs ~~97.72~~
43 The amount appropriated in this subsection reflects
44 a reduction in expenditures for office supplies,
45 purchases of equipment, office equipment, printing and
46 binding, and marketing under the purview of the mental
47 health institute.
48 Sec. 27. 2011 Iowa Acts, chapter 129, section 134,
49 is amended to read as follows:
50 SEC. 134. STATE RESOURCE CENTERS.

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1 1. There is appropriated from the general fund of
2 the state to the department of human services for the
3 fiscal year beginning July 1, 2012, and ending June 30,
4 2013, the following amounts, or so much thereof as is
5 necessary, to be used for the purposes designated:
6 a. For the state resource center at Glenwood for
7 salaries, support, maintenance, and miscellaneous
8 purposes:
9 \$ ~~9,253,900~~
10 18,866,116
11 The amount appropriated in this paragraph "a"
12 reflects a reduction in expenditures for office
13 supplies, purchases of equipment, office equipment,
14 printing and binding, and marketing under the purview
15 of the resource center.
16 b. For the state resource center at Woodward for
17 salaries, support, maintenance, and miscellaneous
18 purposes:
19 \$ ~~6,392,829~~
20 13,033,115
21 The amount appropriated in this paragraph "b"
22 reflects a reduction in expenditures for office
23 supplies, purchases of equipment, office equipment,
24 printing and binding, and marketing under the purview
25 of the resource center.
26 2. The department may continue to bill for state
27 resource center services utilizing a scope of services
28 approach used for private providers of ICFMR services,
29 in a manner which does not shift costs between the
30 medical assistance program, counties, or other sources
31 of funding for the state resource centers.
32 3. The state resource centers may expand the
33 time-limited assessment and respite services during the
34 fiscal year.
35 4. If the department's administration and the
36 department of management concur with a finding by a
37 state resource center's superintendent that projected
38 revenues can reasonably be expected to pay the salary
39 and support costs for a new employee position, or
40 that such costs for adding a particular number of new
41 positions for the fiscal year would be less than the
42 overtime costs if new positions would not be added, the
43 superintendent may add the new position or positions.
44 If the vacant positions available to a resource center
45 do not include the position classification desired to
46 be filled, the state resource center's superintendent
47 may reclassify any vacant position as necessary to
48 fill the desired position. The superintendents of the
49 state resource centers may, by mutual agreement, pool
50 vacant positions and position classifications during

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1 the course of the fiscal year in order to assist one
2 another in filling necessary positions.
3 5. If existing capacity limitations are reached
4 in operating units, a waiting list is in effect
5 for a service or a special need for which a payment
6 source or other funding is available for the service
7 or to address the special need, and facilities for
8 the service or to address the special need can be
9 provided within the available payment source or other
10 funding, the superintendent of a state resource center
11 may authorize opening not more than two units or
12 other facilities and begin implementing the service
13 or addressing the special need during fiscal year
14 2012-2013.
15 Sec. 28. 2011 Iowa Acts, chapter 129, section 135,
16 is amended to read as follows:
17 SEC. 135. MI/MR/DD STATE CASES.
18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:
23 For distribution to counties for state case services
24 for persons with mental illness, mental retardation,
25 and developmental disabilities in accordance with
26 section 331.440:
27 \$ ~~6,084,741~~
28 11,150,820
29 2. For the fiscal year beginning July 1, 2012, and
30 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated
31 for state case services from the amounts appropriated
32 from the fund created in section 8.41 to the department
33 of human services from the funds received from the
34 federal government under 42 U.S.C. ch. 6A, subch. XVII,
35 relating to the community mental health center block
36 grant, for the federal fiscal years beginning October
37 1, 2010, and ending September 30, 2011, beginning
38 October 1, 2011, and ending September 30, 2012, and
39 beginning October 1, 2012, and ending September 30,
40 2013. The allocation made in this subsection shall be
41 made prior to any other distribution allocation of the
42 appropriated federal funds.
43 3. Notwithstanding section 8.33, moneys
44 appropriated in this section that remain unencumbered
45 or unobligated at the close of the fiscal year shall
46 not revert but shall remain available for expenditure
47 for the purposes designated until the close of the
48 succeeding fiscal year.
49 Sec. 29. 2011 Iowa Acts, chapter 129, section 137,
50 is amended to read as follows:

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1 SEC. 137. SEXUALLY VIOLENT PREDATORS.

2 1. There is appropriated from the general fund of
3 the state to the department of human services for the
4 fiscal year beginning July 1, 2012, and ending June 30,
5 2013, the following amount, or so much thereof as is
6 necessary, to be used for the purpose designated:

7 For costs associated with the commitment and
8 treatment of sexually violent predators in the unit
9 located at the state mental health institute at
10 Cherokee, including costs of legal services and
11 other associated costs, including salaries, support,
12 maintenance, and miscellaneous purposes, and for not
13 more than the following full-time equivalent positions:
14 \$ ~~3,775,363~~
15 ~~9,099,686~~
16 FTEs ~~89.50~~
17 ~~115.50~~

18 2. Unless specifically prohibited by law, if the
19 amount charged provides for recoupment of at least
20 the entire amount of direct and indirect costs, the
21 department of human services may contract with other
22 states to provide care and treatment of persons placed
23 by the other states at the unit for sexually violent
24 predators at Cherokee. The moneys received under such
25 a contract shall be considered to be repayment receipts
26 and used for the purposes of the appropriation made in
27 this section.

28 Sec. 30. 2011 Iowa Acts, chapter 129, section 138,
29 is amended to read as follows:

30 SEC. 138. FIELD OPERATIONS. There is appropriated
31 from the general fund of the state to the department of
32 human services for the fiscal year beginning July 1,
33 2012, and ending June 30, 2013, the following amount,
34 or so much thereof as is necessary, to be used for the
35 purposes designated:

36 For field operations, including salaries, support,
37 maintenance, and miscellaneous purposes, and for not
38 more than the following full-time equivalent positions:
39 \$ ~~27,394,960~~
40 ~~60,355,400~~
41 FTEs ~~1,781.00~~

42 Priority in filling full-time equivalent positions
43 shall be given to those positions related to child
44 protection services and eligibility determination for
45 low-income families.

46 The amount appropriated in this section reflects
47 a reduction in expenditures for office supplies,
48 purchases of equipment, office equipment, printing
49 and binding, and marketing under the purview of the
50 department.

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1 Sec. 31. 2011 Iowa Acts, chapter 129, section 139,
2 is amended to read as follows:
3 SEC. 139. GENERAL ADMINISTRATION. There is
4 appropriated from the general fund of the state to
5 the department of human services for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, the
7 following amount, or so much thereof as is necessary,
8 to be used for the purpose designated:
9 For general administration, including salaries,
10 support, maintenance, and miscellaneous purposes, and
11 for not more than the following full-time equivalent
12 positions:
13 \$ ~~7,298,372~~
14 15,096,744
15 FTEs ~~285.00~~
16 295.00
17 1. Of the funds appropriated in this section,
18 ~~\$19,271~~ \$38,543 allocated for the prevention of
19 disabilities policy council established in section
20 225B.3.
21 2. The department shall report at least monthly
22 to the legislative services agency concerning the
23 department's operational and program expenditures.
24 3. Of the funds appropriated in this section,
25 ~~\$66,150~~ \$132,300 shall be used to continue the contract
26 for the provision of a program to provide technical
27 assistance, support, and consultation to providers of
28 habilitation services and home and community-based
29 services waiver services for adults with disabilities
30 under the medical assistance program.
31 4. Of the funds appropriated in this section,
32 ~~\$88,200~~ \$176,400 shall be used to continue the contract
33 to expand the provision of nationally accredited and
34 recognized internet-based training to include mental
35 health and disability services providers.
36 ~~5. Of the funds appropriated in this section,~~
37 ~~\$250,000 shall be used for continuation of child~~
38 ~~protection system improvements addressed in 2011 Iowa~~
39 ~~Acts, House File 562, as enacted.~~
40 6. Of the funds appropriated in this section,
41 \$500,000 shall be used for implementation of 2012 Iowa
42 Acts, House File 2422, if enacted.
43 Sec. 32. 2011 Iowa Acts, chapter 129, section 140,
44 is amended to read as follows:
45 SEC. 140. VOLUNTEERS. There is appropriated from
46 the general fund of the state to the department of
47 human services for the fiscal year beginning July 1,
48 2012, and ending June 30, 2013, the following amount,
49 or so much thereof as is necessary, to be used for the
50 purpose designated:

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1 For development and coordination of volunteer
2 services:
3 \$ 42,330
4 84,660
5 PROVIDER REIMBURSEMENT — NURSING FACILITIES
6 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
7 subsection 1, paragraph a, subparagraph (1), is amended
8 to read as follows:
9 (1) For the fiscal year beginning July 1, 2012, the
10 total state funding amount for the nursing facility
11 budget shall not exceed ~~\$225,457,724~~ \$237,226,901.
12 PROVIDER REIMBURSEMENT — PHARMACY AND PMICS
13 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
14 subsection 1, paragraphs b and i, are amended to read
15 as follows:
16 b. (1) For the fiscal year beginning July
17 1, 2012, the department shall reimburse pharmacy
18 dispensing fees using a ~~single rate of range between~~
19 \$4.34 per prescription or the pharmacy's usual and
20 customary fee, whichever is lower, and \$11.10 per
21 prescription. The actual dispensing fee set within
22 the range shall be determined by an annual cost of
23 dispensing survey performed by the department and
24 required to be completed by all medical assistance
25 program participating pharmacies. The department shall
26 also update the cost of dispensing calculations on a
27 regular basis. However, the department shall adjust
28 the dispensing fee specified in this paragraph to
29 distribute an additional \$2,981,980 in reimbursements
30 for pharmacy dispensing fees under this paragraph for
31 the fiscal year.
32 (2) The department shall implement an average
33 acquisition cost reimbursement methodology for all
34 drugs covered under the medical assistance program.
35 The methodology shall utilize a survey of pharmacy
36 invoices from a rotation of pharmacies in determining
37 the average acquisition cost component of pharmacy
38 reimbursement. Pharmacies and providers that are
39 enrolled in the medical assistance program shall make
40 available drug acquisition cost invoice information,
41 product availability information if known, and other
42 information deemed necessary by the department to
43 assist the department in monitoring and revising the
44 reimbursement rates and for efficient operation of
45 the pharmacy benefit. The department shall provide a
46 process for pharmacies to address average acquisition
47 cost prices that are not reflective of the actual cost
48 of a drug. With regard to specialty pharmacy products
49 as defined by the department, the department shall
50 consider the population served, the current delivery

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1 system, and the standard of care relative to these
2 products, and may adjust the product reimbursement rate
3 or dispensing fee to prevent problems with access to
4 these products and their associated specialty services.
5 (a) A pharmacy or provider shall produce and submit
6 the requested information in the manner and format
7 requested by the department or its designee at no cost
8 to the department or its designee.
9 (b) A pharmacy or provider shall submit information
10 to the department or its designee within the time
11 frame indicated following receipt of a request for
12 information unless the department or its designee
13 grants an extension upon written request of the
14 pharmacy or provider.
15 i. (1) For the fiscal year beginning July 1,
16 2012, state-owned psychiatric medical institutions
17 for children shall receive cost-based reimbursement
18 for 100 percent of the actual and allowable costs for
19 the provision of services to recipients of medical
20 assistance.
21 (2) For the nonstate-owned psychiatric medical
22 institutions for children, reimbursement rates shall be
23 based on the reimbursement methodology developed by the
24 department as required for federal compliance.
25 (3) As a condition of participation in the medical
26 assistance program, enrolled providers shall accept the
27 medical assistance reimbursement rate for any covered
28 goods or services provided to recipients of medical
29 assistance who are children under the custody of a
30 psychiatric medical institution for children.
31 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE
32 PROVIDERS
33 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
34 is amended by adding the following new subsection:
35 NEW SUBSECTION. 6A. For the fiscal year beginning
36 July 1, 2012, the department shall adjust the
37 foster family basic daily maintenance rate, the
38 maximum adoption subsidy rates for children, the
39 family-centered service providers rate, the family
40 foster care service providers rate, the group foster
41 care service providers rate, and the resource family
42 recruitment and retention contractor rate, as such
43 rates are identified in this section and were in effect
44 on June 30, 2012, in order to distribute an additional
45 \$1,535,256 in state reimbursements equitably to such
46 providers for the fiscal year.
47 REBASING STUDY —
48 MEDICAID HOME HEALTH AND HCBS WAIVER SERVICES PROVIDERS
49 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
50 is amended by adding the following new subsection:

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1 NEW SUBSECTION. 10A. The department of human
2 services, Iowa Medicaid enterprise, shall review
3 reimbursement of home health agency and home and
4 community-based services waiver services providers
5 and shall submit a recommendation for a rebasing
6 methodology applicable to such providers to the
7 individuals identified in this division of this Act for
8 receipt of reports by December 31, 2012.

9 REPORTS

10 Sec. 36. 2011 Iowa Acts, chapter 129, section 143,
11 is amended to read as follows:

12 SEC. 143. REPORTS. Any reports or other
13 information required to be compiled and submitted
14 under this Act shall be submitted to the chairpersons
15 and ranking members of the joint appropriations
16 subcommittee on health and human services, the
17 legislative services agency, and the legislative caucus
18 staffs on or before the dates specified for submission
19 of the reports or information.

20 DIVISION V

21 HEALTH CARE ACCOUNTS AND FUNDS

22 PHARMACEUTICAL SETTLEMENT ACCOUNT

23 Sec. 37. 2011 Iowa Acts, chapter 129, section 145,
24 is amended to read as follows:

25 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
26 is appropriated from the pharmaceutical settlement
27 account created in section 249A.33 to the department of
28 human services for the fiscal year beginning July 1,
29 2012, and ending June 30, 2013, the following amount,
30 or so much thereof as is necessary, to be used for the
31 purpose designated:

32 Notwithstanding any provision of law to the
33 contrary, to supplement the appropriations made in this
34 Act for medical contracts under the medical assistance
35 program for the fiscal year beginning July 1, 2012, and
36 ending June 30, 2013:

37 \$ 2,716,807

38 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA
39 HOSPITALS AND CLINICS

40 Sec. 38. 2011 Iowa Acts, chapter 129, section 146,
41 subsection 1, is amended by adding the following new
42 paragraph:

43 NEW PARAGRAPH. d. The university of Iowa hospitals
44 and clinics shall utilize a portion of the funds
45 appropriated in this subsection to pay for lodging
46 expenses for expansion population members receiving
47 cancer treatment over successive days. A member shall
48 only be eligible for such payment if the member is
49 otherwise unable to secure lodging at the university of
50 Iowa hospitals and clinics campus or at any other local

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1 facility offering free lodging for a member receiving
2 cancer treatment over successive days.
3 Sec. 39. 2011 Iowa Acts, chapter 129, section 146,
4 subsection 2, unnumbered paragraph 2, is amended to
5 read as follows:
6 For salaries, support, maintenance, equipment, and
7 miscellaneous purposes, for the provision of medical
8 and surgical treatment of indigent patients, for
9 provision of services to members of the expansion
10 population pursuant to chapter 249J, and for medical
11 education:
12 \$ ~~44,226,279~~
13 45,654,133
14 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING
15 HOSPITAL
16 Sec. 40. 2011 Iowa Acts, chapter 129, section 146,
17 subsection 4, unnumbered paragraph 2, is amended to
18 read as follows:
19 For distribution to a publicly owned acute care
20 teaching hospital located in a county with a population
21 over 350,000 for the provision of medical and surgical
22 treatment of indigent patients, for provision of
23 services to members of the expansion population
24 pursuant to chapter 249J, and for medical education:
25 \$ ~~65,000,000~~
26 70,000,000
27 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL
28 ALLOCATIONS
29 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
30 subsection 4, paragraphs a and b, are amended to read
31 as follows:
32 a. Notwithstanding any provision of law to the
33 contrary, the amount appropriated in this subsection
34 shall be distributed based on claims submitted,
35 adjudicated, and paid by the Iowa Medicaid enterprise
36 plus a monthly disproportionate share hospital payment.
37 Any amount appropriated in this subsection in excess
38 of ~~\$60,000,000~~ \$65,000,000 shall be distributed
39 only if the sum of the expansion population claims
40 adjudicated and paid by the Iowa Medicaid enterprise
41 plus the estimated disproportionate share hospital
42 payments exceeds ~~\$60,000,000~~ \$65,000,000. The amount
43 paid in excess of ~~\$60,000,000~~ \$65,000,000 shall
44 not adjust the original monthly payment amount but
45 shall be distributed monthly based on actual claims
46 adjudicated and paid by the Iowa Medicaid enterprise
47 plus the estimated disproportionate share hospital
48 amount. Any amount appropriated in this subsection in
49 excess of ~~\$60,000,000~~ \$65,000,000 shall be allocated
50 only if federal funds are available to match the

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1 amount allocated. Pursuant to paragraph "b", of the
2 amount appropriated in this subsection, not more than
3 \$4,000,000 shall be distributed for prescription drugs,
4 ~~and podiatry services, and optometric services.~~
5 b. Notwithstanding any provision of law to the
6 contrary, the hospital identified in this subsection,
7 shall be reimbursed for outpatient prescription drugs,
8 ~~and podiatry services, and optometric services provided~~
9 to members of the expansion population pursuant to all
10 applicable medical assistance program rules, in an
11 amount not to exceed \$4,000,000.
12 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK
13 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
14 subsection 5, unnumbered paragraph 2, is amended to
15 read as follows:
16 For payment to the regional provider network
17 specified by the department pursuant to section 249J.7
18 for provision of covered services to members of the
19 expansion population pursuant to chapter 249J:
20 \$ ~~3,472,176~~
21 4,986,366
22 ACCOUNT FOR HEALTH CARE TRANSFORMATION
23 Sec. 43. 2011 Iowa Acts, chapter 129, section 148,
24 is amended to read as follows:
25 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH
26 CARE TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.
27 Notwithstanding any provision to the contrary,
28 there is appropriated from the account for health
29 care transformation created in section 249J.23 to
30 the department of human services for the fiscal year
31 beginning July 1, 2012, and ending June 30, 2013, the
32 following amounts, or so much thereof as is necessary,
33 to be used for the purposes designated:
34 1. For the provision of an IowaCare nurse helpline
35 for the expansion population as provided in section
36 249J.6:
37 \$ ~~50,000~~
38 100,000
39 2. For other health promotion partnership
40 activities pursuant to section 249J.14:
41 \$ 300,000
42 3. For the costs related to audits, performance
43 evaluations, and studies required pursuant to chapter
44 249J:
45 \$ ~~62,500~~
46 125,000
47 4. For administrative costs associated with chapter
48 249J:
49 \$ ~~566,206~~
50 1,132,412

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1 5. For planning and development, in cooperation
2 with the department of public health, of a phased-in
3 program to provide a dental home for children in
4 accordance with section 249J.14:
5 \$ 500,000
6 1,000,000
7 6. For continuation of the establishment of the
8 tuition assistance for individuals serving individuals
9 with disabilities pilot program, as enacted in 2008
10 Iowa Acts, chapter 1187, section 130:
11 \$ 25,000
12 50,000
13 7. For medical contracts:
14 \$ 1,000,000
15 2,400,000
16 8. For payment to the publicly owned acute care
17 teaching hospital located in a county with a population
18 of over 350,000 that is a participating provider
19 pursuant to chapter 249J:
20 \$ 145,000
21 540,000
22 Disbursements under this subsection shall be made
23 monthly. The hospital shall submit a report following
24 the close of the fiscal year regarding use of the
25 funds appropriated in this subsection to the persons
26 specified in this Act to receive reports.
27 9. For transfer to the department of public health
28 to be used for the costs of medical home system
29 advisory council established pursuant to section
30 135.159:
31 \$ 116,679
32 233,357
33 10. For continued implementation of a uniform cost
34 report:
35 \$ 75,000
36 150,000
37 11. For continued implementation of an electronic
38 medical records system:
39 \$ 50,000
40 100,000
41 Notwithstanding section 8.33, funds allocated in
42 this subsection that remain unencumbered or unobligated
43 at the close of the fiscal year shall not revert but
44 shall remain available in succeeding fiscal years to be
45 used for the purposes designated.
46 12. For transfer to the department of public health
47 to support the department's activities relating to
48 health and long-term care access as specified pursuant
49 to chapter 135, division XXIV:
50 \$ 67,107

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1 134,214
2 13. For continuation of an accountable care
3 organization pilot project:
4 \$ 50,000
5 100,000
6 15. For transfer to the department of public health
7 to be used as state matching funds for the health
8 information technology ~~system~~ network developed by the
9 department of public health:
10 \$ 181,993
11 363,987
12 16. To supplement the appropriation for medical
13 assistance:
14 \$ ~~1,956,245~~ 4,106,245
15 17. For transfer to the department of public health
16 to be used for the mental health and disabilities
17 services workforce development workgroup, if created by
18 the Eighty-fourth General Assembly, 2012 Session:
19 \$ 25,000
20 Notwithstanding section 8.39, subsection 1, without
21 the prior written consent and approval of the governor
22 and the director of the department of management, the
23 director of human services may transfer funds among
24 the appropriations made in this section as necessary
25 to carry out the purposes of the account for health
26 care transformation. The department shall report
27 any transfers made pursuant to this section to the
28 legislative services agency.
29 QUALITY ASSURANCE TRUST FUND
30 Sec. 44. 2011 Iowa Acts, chapter 129, section 151,
31 is amended to read as follows:
32 SEC. 151. QUALITY ASSURANCE TRUST FUND —
33 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
34 any provision to the contrary and subject to the
35 availability of funds, there is appropriated from the
36 quality assurance trust fund created in section 249L.4
37 to the department of human services for the fiscal year
38 beginning July 1, 2012, and ending June 30, 2013, the
39 following amounts, or so much thereof as is necessary
40 for the purposes designated:
41 To supplement the appropriation made in this Act
42 from the general fund of the state to the department of
43 human services for medical assistance:
44 \$ ~~29,000,000~~
45 26,500,000
46 HOSPITAL HEALTH CARE ACCESS TRUST FUND
47 Sec. 45. 2011 Iowa Acts, chapter 129, section 152,
48 is amended to read as follows:
49 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND
50 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding

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1 any provision to the contrary and subject to the
2 availability of funds, there is appropriated from
3 the hospital health care access trust fund created in
4 section 249M.4 to the department of human services for
5 the fiscal year beginning July 1, 2012, and ending June
6 30, 2013, the following amounts, or so much thereof as
7 is necessary, for the purposes designated:
8 1. To supplement the appropriation made in this Act
9 from the general fund of the state to the department of
10 human services for medical assistance:
11 \$ 39,223,800
12 33,898,400
13 2. For deposit in the nonparticipating provider
14 reimbursement fund created in section 249J.24A to be
15 used for the purposes of the fund:
16 \$ 776,200
17 801,600
18 MISCELLANEOUS PROVISIONS
19 Sec. 46. REPEAL. 2011 Iowa Acts, chapter 129,
20 sections 149 and 150, are repealed.
21 DIVISION VI
22 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
23 CONTINGENCY FUND
24 Sec. 47. CHILDREN'S HEALTH INSURANCE PROGRAM —
25 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
26 OF FUNDS — FY 2011-2012.
27 1. Moneys received from the federal government
28 through the child enrollment contingency fund
29 established pursuant to section 103 of the federal
30 Children's Health Insurance Program Reauthorization
31 Act of 2009, Pub. L. No. 111-3, are appropriated to
32 the department of human services for the fiscal year
33 beginning July 1, 2011, and ending June 30, 2012, to be
34 used in addition to any other amounts appropriated for
35 the same purposes for the fiscal year as follows:
36 a. For adoption subsidy payments and services:
37 \$ 2,177,355
38 b. For child care programs:
39 \$ 1,212,432
40 c. For transfer to the department of public health
41 to be used for tobacco use prevention, cessation, and
42 treatment through support of Quitline Iowa:
43 \$ 200,000
44 2. Notwithstanding section 8.39, and to the extent
45 that funds appropriated in this section are unexpended
46 or unobligated for the purposes specified in subsection
47 1, the department of human services may transfer funds
48 within or between any of the appropriations made in
49 this section for the following purposes:
50 a. For adoption subsidy payments and services.

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1 b. For child care assistance.
2 Sec. 48. CHILDREN'S HEALTH INSURANCE PROGRAM —
3 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR
4 USE OF FUNDS — FY 2012-2013. Moneys received from
5 the federal government through the child enrollment
6 contingency fund established pursuant to section 103
7 of the federal Children's Health Insurance Program
8 Reauthorization Act of 2009, Pub. L. No. 111-3, are
9 appropriated to the department of human services for
10 the fiscal year beginning July 1, 2012, and ending June
11 30, 2013, to be used in addition to any other amounts
12 appropriated for the same purposes for the fiscal year
13 as follows:
14 1. For mental health and disability services
15 redesign technical assistance services:
16 \$ 500,000
17 2. For the field operations integrity claims unit:
18 \$ 961,100
19 3. For the child welfare resources fund created
20 pursuant to this subsection:
21 \$ 1,000,000
22 A child welfare resources fund is created under
23 the control of the department of human services.
24 Notwithstanding section 8.33, moneys credited to
25 the fund shall not revert to any other fund and are
26 appropriated to the department to be used as provided
27 in this subsection. The department shall distribute
28 the moneys credited to the fund as grants to child
29 welfare service providers to support infrastructure
30 projects, supplies, equipment, renovations, and other
31 one-time expenses in connection with publicly funded
32 child welfare services.
33 Sec. 49. EFFECTIVE DATE PROVISIONS. The section of
34 this division of this Act appropriating moneys received
35 through the federal Child Enrollment Contingency Fund
36 for the fiscal year beginning July 1, 2011, and ending
37 June 30, 2012, being deemed of immediate importance,
38 take effect upon enactment.
39 Sec. 50. RETROACTIVE APPLICABILITY. The section of
40 this division of this Act appropriating moneys received
41 through the federal Child Enrollment Contingency Fund
42 for the fiscal year beginning July 1, 2011, and ending
43 June 30, 2012, applies retroactively to July 1, 2011.
44 DIVISION VII
45 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL
46 ASSISTANCE PROGRAM ADDITIONAL FUNDING
47 Sec. 51. RISK POOL APPROPRIATION FOR MEDICAL
48 ASSISTANCE PROGRAM. All moneys remaining in the risk
49 pool of the property tax relief fund on June 30,
50 2012, following the distributions made pursuant to

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1 2012 Iowa Acts, Senate File 2071, are appropriated to
2 the department of human services for the fiscal year
3 beginning July 1, 2012, and ending June 30, 2013, to be
4 used for the purpose designated:

5 To be credited to the appropriation made for the
6 medical assistance program in 2011 Iowa Acts, chapter
7 129, section 122.

8 Sec. 52. MENTAL HEALTH AND DISABILITY SERVICES
9 REDESIGN.

10 There is appropriated from the general fund of the
11 state to the department of human services for the
12 fiscal year beginning July 1, 2012, and ending June 30,
13 2013, the following amount, or so much thereof as is
14 necessary, to be used for the purposes designated:

15 For the medical assistance program appropriation
16 for the fiscal year for the expense of replacing
17 the enhanced match rate provided through the federal
18 American Recovery and Reinvestment Act of 2009 and
19 for the reduction in the federal medical assistance
20 percentage associated with the mental health and
21 disabilities services for which the match has been paid
22 by counties:

23 \$ 41,736,918

24 DIVISION VIII

25 PRIOR APPROPRIATIONS AND RELATED CHANGES

26 INJURED VETERANS GRANT PROGRAM

27 Sec. 53. 2008 Iowa Acts, chapter 1187, section 69,
28 unnumbered paragraph 1, as amended by 2009 Iowa Acts,
29 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,
30 section 56, and 2011 Iowa Acts, chapter 129, section
31 53, is amended to read as follows:

32 Notwithstanding section 8.33, moneys appropriated in
33 this subsection that remain unencumbered or unobligated
34 at the close of the fiscal year shall not revert but
35 shall remain available for expenditure for the purposes
36 designated until the close of the fiscal year beginning
37 July 1, 2012.

38 IOWA VETERANS HOME

39 Sec. 54. 2011 Iowa Acts, chapter 129, section 3,
40 subsection 2, is amended by adding the following new
41 paragraph:

42 NEW PARAGRAPH. d. The funds appropriated in this
43 subsection to the Iowa veterans home that remain
44 available for expenditure for the succeeding fiscal
45 year pursuant to section 35D.18, subsection 5, shall
46 be distributed to be used in the succeeding fiscal
47 year in accordance with this lettered paragraph. The
48 first \$500,000 shall remain available to be used for
49 the purposes of the Iowa veterans home. Any remaining
50 balance shall be credited to the appropriation in this

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1 Act for the fiscal year beginning July 1, 2012, for
2 medical assistance.

3 FAMILY INVESTMENT PROGRAM — GENERAL FUND

4 Sec. 55. 2011 Iowa Acts, chapter 129, section 7, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 5. Notwithstanding section
7 8.33, moneys appropriated in this section that remain
8 unencumbered or unobligated at the close of the fiscal
9 year shall not revert but shall remain available for
10 expenditure for the purposes designated until the close
11 of the succeeding fiscal year.

12 MEDICAL ASSISTANCE

13 Sec. 56. 2011 Iowa Acts, chapter 129, section 10,
14 subsection 20, paragraph d, is amended to read as
15 follows:

16 d. If the savings to the medical assistance
17 program exceed the cost, the department may transfer
18 any savings generated for the fiscal year due to
19 medical assistance program cost containment efforts
20 initiated pursuant to 2010 Iowa Acts, chapter 1031,
21 Executive Order No. 20, issued December 16, 2009, or
22 cost containment strategies initiated pursuant to this
23 subsection, to the ~~appropriation~~ appropriations made
24 in this division of this Act for medical contracts or
25 general administration to defray the increased contract
26 costs associated with implementing such efforts.

27 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL
28 ASSISTANCE

29 Sec. 57. 2011 Iowa Acts, chapter 129, section 10,
30 is amended by adding the following new subsection:

31 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa
32 Acts, chapter 182, section 9, subsection 16, paragraph
33 "b", as amended by 2010 Iowa Acts, chapter 1192,
34 section 63, as amended by 2011 Iowa Acts, chapter
35 129, section 54, funds in the account that remain
36 unencumbered or unobligated at the end of the fiscal
37 year beginning July 1, 2011, are appropriated to the
38 department of human services to be used for the medical
39 assistance program for the succeeding fiscal year.

40 STATE SUPPLEMENTARY ASSISTANCE

41 Sec. 58. 2011 Iowa Acts, chapter 129, section 11,
42 is amended by adding the following new subsection:

43 NEW SUBSECTION. 4. Notwithstanding section
44 8.33, moneys appropriated in this section that remain
45 unencumbered or unobligated at the close of the fiscal
46 year shall not revert but shall remain available for
47 expenditure for the purposes designated until the close
48 of the succeeding fiscal year.

49 FIELD OPERATIONS

50 Sec. 59. 2011 Iowa Acts, chapter 129, section

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1 25, is amended by adding the following new unnumbered
2 paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
4 8.33, moneys appropriated in this section that remain
5 unencumbered or unobligated at the close of the fiscal
6 year shall not revert but shall remain available for
7 expenditure for the purposes designated until the close
8 of the succeeding fiscal year.

9 CHILD PROTECTION SYSTEM IMPROVEMENTS

10 Sec. 60. 2011 Iowa Acts, chapter 129, section 26,
11 subsection 5, is amended to read as follows:

12 5. Of the funds appropriated in this section,
13 \$500,000 shall be used for implementation of child
14 protection system improvements addressed in 2011
15 Iowa Acts, ~~House File 562, as enacted chapter 28.~~
16 Notwithstanding section 8.33, moneys allocated in this
17 subsection that remain unencumbered or unobligated
18 at the close of the fiscal year shall not revert but
19 shall remain available for expenditure for the purposes
20 designated until the close of the succeeding fiscal
21 year.

22 GENERAL ADMINISTRATION

23 Sec. 61. 2011 Iowa Acts, chapter 129, section 26,
24 is amended by adding the following new subsection:

25 NEW SUBSECTION. 6. Notwithstanding section
26 8.33, moneys appropriated in this section that remain
27 unencumbered or unobligated at the close of the fiscal
28 year shall not revert but shall remain available for
29 expenditure for the purposes designated until the close
30 of the succeeding fiscal year.

31 IOWACARE DISTRIBUTIONS

32 Sec. 62. 2011 Iowa Acts, chapter 129, section
33 35, subsection 4, paragraph a, is amended to read as
34 follows:

35 a. Notwithstanding any provision of law to the
36 contrary, the amount appropriated in this subsection
37 shall be distributed based on claims submitted,
38 adjudicated, and paid by the Iowa Medicaid enterprise
39 plus a monthly disproportionate share hospital payment.
40 Any amount appropriated in this subsection in excess
41 of ~~\$60,000,000~~ \$56,500,000 shall be distributed
42 only if the sum of the expansion population claims
43 adjudicated and paid by the Iowa Medicaid enterprise
44 plus the estimated disproportionate share hospital
45 payments exceeds ~~\$60,000,000~~ \$56,500,000. The amount
46 paid in excess of ~~\$60,000,000~~ \$56,500,000 shall
47 not adjust the original monthly payment amount but
48 shall be distributed monthly based on actual claims
49 adjudicated and paid by the Iowa Medicaid enterprise
50 plus the estimated disproportionate share hospital

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1 amount. Any amount appropriated in this subsection in
2 excess of ~~\$60,000,000~~ \$56,500,000 shall be allocated
3 only if federal funds are available to match the
4 amount allocated. Pursuant to paragraph "b", of the
5 amount appropriated in this subsection, not more than
6 \$4,000,000 shall be distributed for prescription drugs
7 and podiatry services.

8 Sec. 63. 2011 Iowa Acts, chapter 129, section 35,
9 subsection 4, paragraph d, subparagraph (2), is amended
10 to read as follows:

11 (2) Notwithstanding the amount collected and
12 distributed for deposit in the IowaCare account
13 pursuant to section 249J.24, subsection 4, paragraph
14 "a", subparagraph (2), the first \$19,000,000 in
15 collections pursuant to section 347.7 between January
16 1, 2012, and June 30, 2012, shall be distributed to
17 the treasurer of state for deposit in the IowaCare
18 account and collections during this time period in
19 excess of \$19,000,000 shall be distributed to the acute
20 care teaching hospital identified in this subsection.
21 ~~Of the collections in excess of the \$19,000,000~~
22 ~~received by the acute care teaching hospital under this~~
23 ~~subparagraph (2), \$2,000,000 shall be distributed by~~
24 ~~the acute care teaching hospital to the treasurer of~~
25 ~~state for deposit in the IowaCare account in the month~~
26 ~~of July 2012, following the January 1 through June 30,~~
27 ~~2012, period.~~

28 Sec. 64. IMMEDIATE EFFECTIVE DATE. This division
29 of this Act, being deemed of immediate importance,
30 takes effect upon enactment.

31 Sec. 65. RETROACTIVE APPLICABILITY. The
32 following sections of this division of this Act apply
33 retroactively to July 1, 2011:

34 1. The section relating to the transfer of funds
35 from costs savings under the medical assistance program
36 to appropriations for medical contracts or general
37 administration for the fiscal year beginning July 1,
38 2011, and ending June 30, 2012.

39 2. The section relating to the distribution of
40 IowaCare program funds.

41 DIVISION IX
42 MISCELLANEOUS

43 Sec. 66. Section 8A.512A, subsection 3, Code
44 Supplement 2011, is amended to read as follows:

45 3. *a.* For purposes of this section, "executive
46 branch employee" means an employee of the executive
47 branch as defined in section 7E.2, other than a
48 member or employee of the state board of regents and
49 institutions under the control of the state board of
50 regents.

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1 b. For purposes of this section, "out-of-state
2 travel" does not include out-of-state travel incidental
3 to travel between a travel departure point in this
4 state and a travel destination point in the city of
5 Carter Lake.

6 Sec. 67. Section 97B.39, Code 2011, is amended to
7 read as follows:

8 **97B.39 Rights not transferable or subject to legal**
9 **process — exceptions.**

10 The right of any person to any future payment under
11 this chapter is not transferable or assignable, at
12 law or in equity, and the moneys paid or payable or
13 rights existing under this chapter are not subject to
14 execution, levy, attachment, garnishment, or other
15 legal process, or to the operation of any bankruptcy
16 or insolvency law except for the purposes of enforcing
17 child, spousal, or medical support obligations or
18 marital property orders, or for recovery of medical
19 assistance payments pursuant to section 249A.5.
20 For the purposes of enforcing child, spousal, or
21 medical support obligations, the garnishment or
22 attachment of or the execution against compensation
23 due a person under this chapter shall not exceed
24 the amount specified in 15 U.S.C. § 1673(b). The
25 system shall comply with the provisions of a marital
26 property order requiring the selection of a particular
27 benefit option, designated beneficiary, or contingent
28 annuitant if the selection is otherwise authorized
29 by this chapter and the member has not received
30 payment of the member's first retirement allowance.
31 However, a marital property order shall not require
32 the payment of benefits to an alternative payee prior
33 to the member's retirement, prior to the date the
34 member elects to receive a lump sum distribution of
35 accumulated contributions pursuant to section 97B.53,
36 or in an amount that exceeds the benefits the member
37 would otherwise be eligible to receive pursuant to this
38 chapter.

39 Sec. 68. Section 135.63, subsection 2, Code 2011,
40 is amended by adding the following new paragraph:
41 NEW PARAGRAPH. g. Any outpatient surgical facility
42 that meets all of the following conditions:

43 (1) Functions to provide treatment for a single
44 specialty condition, disease, or disorder.

45 (2) Is physically connected to or in the same
46 structure as the private practice office of any
47 physician participating as medical staff of the
48 outpatient surgical facility.

49 (3) Is restricted to use by any such participating
50 physician.

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1 Sec. 69. Section 135H.10, subsection 3, Code 2011,
2 is amended by striking the subsection.
3 Sec. 70. Section 144D.4, as enacted by 2012 Iowa
4 Acts, House File 2165, section 5, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 10. A POST form executed between
7 July 1, 2008, and June 30, 2012, as part of the patient
8 autonomy in health care decisions pilot project created
9 pursuant to 2008 Iowa Acts, chapter 1188, section 36,
10 as amended by 2010 Iowa Acts, chapter 1192, section 58,
11 shall remain effective until revoked or until a new
12 POST form is executed pursuant to this chapter.
13 Sec. 71. Section 256B.9, subsection 7, Code 2011,
14 is amended to read as follows:
15 7. *a.* The costs of special education instructional
16 programs include the costs of purchase of
17 transportation equipment to meet the special needs of
18 children requiring special education with the approval
19 of the director of the department of education.
20 *b.* The department of education shall administer
21 the costs of special education instructional programs
22 when contracted with a private agency that provides
23 residential treatment services to include the costs
24 of general administration, health service, attendance
25 officers, plant operation, and plant maintenance,
26 regular and special instructional costs, overhead
27 costs, and the costs of purchase of equipment,
28 transportation, and insurance to meet the special needs
29 of children requiring special education.
30 *c.* The state board of education shall adopt rules
31 under chapter 17A for the purchase of transportation
32 equipment pursuant to administer this section.
33 Sec. 72. SPECIAL EDUCATION COSTS — LEGISLATIVE
34 STUDY. The legislative council is requested to
35 establish an interim study committee during the 2012
36 interim to examine the payment of special education
37 costs associated with student services provided in
38 residential treatment facilities and whether the
39 planning for and costs of such services would be
40 more appropriately administered by the department of
41 education or the department of human services.
42 Sec. 73. Section 225B.8, Code Supplement 2011, is
43 amended to read as follows:
44 **225B.8 Repeal.**
45 This chapter is repealed July 1, 2012 2013.
46 Sec. 74. CIVIL MONETARY PENALTIES — NURSING
47 FACILITY TRAINING — SEXUAL OFFENDERS. Of the funds
48 received by the department of human services through
49 civil monetary penalties from nursing facilities,
50 during the fiscal year beginning July 1, 2012, and

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1 ending June 30, 2013, \$250,000 shall be used for
2 training of nursing facility staff relating to the
3 requirements of 2012 Iowa Acts, House File 2422, if
4 enacted.

5 Sec. 75. EFFECTIVE UPON ENACTMENT. The section
6 of this division of this Act amending section 256B.9,
7 being deemed of immediate importance, takes effect upon
8 enactment.

9 Sec. 76. RETROACTIVE APPLICABILITY. The section
10 of this division of this Act amending section 256B.9
11 applies retroactively to July 1, 2011.>

HEATON of Henry



Iowa General Assembly
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Senate File 2332

H-8465

- 1 Amend Senate File 2332, as passed by the Senate, as
2 follows:
3 1. Page 6, line 11, before <Notwithstanding> by
4 inserting <1.>
5 2. Page 6, after line 29 by inserting:
6 <2. Notwithstanding subsection 1, a temporary
7 moratorium shall be applicable to a new surcharge
8 authorized pursuant to this section until one hundred
9 and fifty days after submission of recommendations by
10 the E911 task force established by this Act to the
11 general assembly.>
12 3. Page 11, line 15, by striking <located inside>
13 and inserting <~~located inside~~ utilized by>
14 4. By renumbering as necessary.

VANDER LINDEN of Mahaska



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Senate File 2336

H-8466

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 37, line 25, by striking <\$520,150> and
5 inserting <\$1,020,150>
6 2. Page 37, line 28, by striking <To> and inserting
7 <a. To>
8 3. Page 37, line 31, by striking <a.> and inserting
9 <a. (1)>
10 4. Page 37, line 34, by striking <b.> and inserting
11 <b. (2)>
12 5. Page 37, line 37, by striking <c.> and inserting
13 <c. (3)>
14 6. Page 37, line 40, by striking <d.> and inserting
15 <d. (4)>
16 7. Page 37, line 43, by striking <e.> and inserting
17 <e. (5)>
18 8. Page 37, after line 45 by inserting:
19 <b. To the judicial branch to support substance
20 abuse services provided to juveniles participating in
21 the juvenile drug court programs listed in paragraph
22 "a" and the juveniles' families:
23 \$ 500,000
24 The state court administrator shall allocate the
25 funding designated in this paragraph "b" among the
26 programs.>
27 9. By renumbering as necessary.

HALL of Woodbury

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Senate File 2336

H-8467

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 14, after line 46 by inserting:
5 <0d. Of the funds appropriated in this subsection,
6 not more than \$1,000 may be allocated to the university
7 of Iowa, which in consultation with the department
8 of public health, shall review and report to the
9 governor and the general assembly no later than
10 November 1, 2012, on the feasibility of manufacturing
11 essential generic pharmaceuticals at the United States
12 food and drug administration-approved manufacturing
13 facility located at the university, if one or more
14 pharmaceuticals are found to be periodically or
15 consistently unavailable to health care providers in
16 the state for prescription or direct administration,
17 thereby endangering public health or patient safety.
18 The report shall include recommendations regarding
19 any policies, legislation, or resources necessary to
20 permit such manufacturing if the review finds such
21 manufacturing to be necessary and feasible.>
22 2. By renumbering as necessary.

ISENHART of Dubuque

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Senate File 2336

H-8468

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 10, line 49, by striking <3,788,859> and
5 inserting <3,848,859>

6 2. Page 12, line 19, by striking <124,050> and
7 inserting <184,050>

ABDUL-SAMAD of Polk



Iowa General Assembly
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Senate File 2336

H-8469

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 15, after line 33 by inserting:
5 <Sec. _____. 2011 Iowa Acts, chapter 129, section
6 114, is amended by adding the following new subsection:
7 NEW SUBSECTION. 10. VISION SCREENING. For
8 continuation of a grant to a nationally affiliated
9 volunteer eye organization that has an established
10 program for children and adults and that is solely
11 dedicated to preserving sight and preventing blindness
12 through education, nationally certified vision
13 screening and training, and community and patient
14 service programs:
15 \$ 100,000>
16 2. By renumbering as necessary.

HUNTER of Polk



Iowa General Assembly
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Senate File 2336

H-8470

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 10, line 49, by striking <3,788,859> and
5 inserting <3,979,048>
6 2. Page 12, line 1, by striking <70,000> and
7 inserting <132,580>
8 3. Page 12, after line 7 by inserting:
9 <(1A) For distribution to the Iowa family planning
10 network agencies for necessary infrastructure,
11 statewide coordination, provider recruitment, service
12 delivery, and provision of assistance to patients in
13 determining an appropriate medical home:
14 \$ 77,609>
15 4. Page 12, line 31, by striking <260,000> and
16 inserting <310,000>

PETERSEN of Polk

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Iowa General Assembly
Daily Bills, Amendments and Study Bills
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Senate File 2336

H-8471

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 60, after line 45 by inserting:
5 <Sec. _____. Section 237A.13, subsection 7,
6 paragraphs a and c, Code 2011, are amended to read as
7 follows:
8 a. Families with an income at or below one hundred
9 percent of the federal poverty level whose members ~~are~~
10 ~~employed, for at least twenty-eight hours per week in~~
11 the aggregate, are employed or are participating at a
12 satisfactory level in an approved training program or
13 educational program, and parents with a family income
14 at or below one hundred percent of the federal poverty
15 level who are under the age of twenty-one years and are
16 participating in an educational program leading to a
17 high school diploma or the equivalent.
18 c. Families with an income of more than one hundred
19 percent but not more than one hundred forty-five
20 percent of the federal poverty level whose members ~~are~~
21 ~~employed, for at least twenty-eight hours per week in~~
22 the aggregate, are employed or are participating at a
23 satisfactory level in an approved training program or
24 educational program.>
25 2. By renumbering as necessary.

PETERSEN of Polk

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Senate File 2336

H-8472

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 24, before line 22 by inserting:
5 <7. The department of human services shall increase
6 by 10 percent the amounts in the schedule of basic
7 needs used to determine the cash assistance grants
8 provided to participants in the family investment
9 program. The resulting amounts shall be rounded to the
10 nearest whole dollar. The department shall implement
11 the increase commencing with the fiscal year beginning
12 July 1, 2013.>
13 2. By renumbering as necessary.

BERRY of Black Hawk



Iowa General Assembly
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Senate File 2336

H-8473

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 34, by striking <3,424,366> and
5 inserting <3,524,366>
6 2. Page 10, before line 44 by inserting:
7 < . Of the funds appropriated in this subsection,
8 \$100,000 shall be used for the purposes of the
9 continuation of the epilepsy treatment and education
10 task force as specified in 2011 Iowa Acts, chapter 60.>
11 3. By renumbering as necessary.

KRESSIG of Black Hawk



Iowa General Assembly
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Senate File 2336

H-8474

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
- 4 1. Page 15, before line 6 by inserting:
5 <f. (1) Of the funds appropriated in this
6 subsection, not more than \$10,000 shall be used
7 for purposes of establishing, in coordination with
8 relevant stakeholders, a plan and timetable to allow
9 manufacturers and wholesalers to voluntarily cease
10 manufacturing, selling, or distributing in this state
11 any infant pacifier or reusable beverage container
12 containing bisphenol A.
- 13 (2) At a minimum, the plan shall ensure that a
14 manufacturer or wholesaler who sells or offers for sale
15 in this state a reusable beverage container that is
16 intended for retail sale shall conspicuously label the
17 container as not including bisphenol A and provide the
18 retailer with affirmation that the container does not
19 contain bisphenol A.
- 20 (3) A voluntary agreement to cease manufacturing
21 infant pacifiers or reusable beverage containers shall,
22 at a minimum, do all of the following:
- 23 (a) Require a manufacturer to use the least toxic
24 alternative to bisphenol A.
- 25 (b) Prohibit a manufacturer from replacing
26 bisphenol A with a substance rated by the United States
27 environmental protection agency as a class A, B, or
28 C carcinogen or a substance listed on the agency's
29 list of chemicals evaluated for carcinogenic potential
30 as known or likely carcinogens, known to be human
31 carcinogens, or likely to be human carcinogens.
- 32 (c) Prohibit a manufacturer from replacing
33 bisphenol A with a reproductive toxicant that has
34 been identified by the United States environmental
35 protection agency as causing birth defects,
36 reproductive harm, or developmental harm.
- 37 (4) If the department has not established a plan
38 and a timetable by January 1, 2013, the department
39 shall propose legislation to the 85th general assembly
40 that prohibits products containing bisphenol A from
41 being manufactured, sold, or distributed in this state,
42 with terms not less restrictive than the terms proposed
43 for a voluntary agreement. Such legislation shall
44 provide for the prohibition of products containing
45 bisphenol A by January 1, 2014.>
- 46 2. By renumbering as necessary.

ISENHART of Dubuque

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KAJTAZOVIC of Black Hawk



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Senate File 2336

H-8475

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 16, after line 2 by inserting:
5 <The executive council shall consult with
6 knowledgeable persons in reviewing the return on
7 investment of the moneys in the veterans trust fund
8 and shall submit findings and recommendations for
9 improving the return to the individuals specified in
10 this division of this Act for submission of reports by
11 December 17, 2012.>

CHAMBERS of O'Brien

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Senate File 2336

H-8476

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 45, line 14, by striking <15,096,744> and
5 inserting <16,091,841>
6 2. Page 45, after line 42 by inserting:
7 <7. Notwithstanding section 8.33, moneys
8 appropriated in this section that remain unencumbered
9 or unobligated at the close of the fiscal year shall
10 not revert but shall remain available for expenditure
11 for the purposes designated until the close of the
12 succeeding fiscal year.>

HEDDENS of Story



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Senate File 2336

H-8477

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 10, line 49, by striking <3,788,859> and
5 inserting <4,188,539>
6 2. Page 12, line 1, by striking <70,000> and
7 inserting <132,580>
8 3. Page 12, by striking lines 41 through 49 and
9 inserting:
10 <h. (1) Of the funds appropriated in this
11 subsection, ~~\$74,500~~ \$149,000 shall be used for
12 continued implementation of the recommendations of the
13 direct care worker task force established pursuant
14 tot 2005 Iowa Acts, chapter 88, based upon the report
15 submitted to the governor and the general assembly in
16 December 2006. The department may use a portion of
17 the funds allocated in this lettered paragraph for
18 an additional position to assist in the continued
19 implementation.>
20 4. By striking page 12, line 50, through page 13,
21 line 8, and inserting:
22 <i. (1) Of the funds appropriated in this
23 subsection, ~~\$65,050~~ \$130,100 shall be used for
24 allocation to an independent statewide direct care
25 worker association under a contract with terms
26 determined by the director of public health relating
27 to education, outreach, leadership development,
28 mentoring, and other initiatives intended to enhance
29 the recruitment and retention of direct care workers in
30 health care and long-term care settings.>
31 5. Page 13, by striking lines 9 through 13 and
32 inserting:
33 <(2) Of the funds appropriated in this subsection,
34 ~~\$29,000~~ \$58,000 shall be used to provide scholarships
35 or other forms of subsidization for direct care
36 worker educational conferences, training, or outreach
37 activities.>
38 6. By renumbering as necessary.

HEDDENS of Story

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Daily Bills, Amendments and Study Bills
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Senate File 2336

H-8478

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 44, line 40, by striking <60,355,400> and
5 inserting <62,315,440>

HEDDENS of Story



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Senate File 2336

H-8479

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 25, line 34, by striking <950,526,658> and
5 inserting <953,637,419>
6 2. Page 48, after line 8 by inserting:
7 <ELDERLY WAIVER
8 Sec. _____. 2011 Iowa Acts, chapter 129, section 141,
9 is amended by adding the following new subsection:
10 NEW SUBSECTION. 10B. The department shall
11 increase the monthly reimbursement cap for the medical
12 assistance home and community-based services waiver for
13 the elderly to \$1,400 per month.>
14 3. By renumbering as necessary.

HEDDENS of Story



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Senate File 2336

H-8480

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. By striking page 53, line 21, through page 54,
5 line 32, and inserting:
6 <DIVISION VI
7 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
8 CONTINGENCY FUND
9 Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM —
10 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
11 OF FUNDS — FY 2011-2012.
12 1. Moneys received from the federal government
13 through the child enrollment contingency fund
14 established pursuant to section 103 of the federal
15 Children's Health Insurance Program Reauthorization
16 Act of 2009, Pub. L. No. 111-3, are appropriated to
17 the department of human services for the fiscal year
18 beginning July 1, 2011, and ending June 30, 2012, to be
19 used in addition to any other amounts appropriated for
20 the same purposes for the fiscal year as follows:
21 a. For adoption subsidy payments and services:
22 \$ 2,177,355
23 b. For child care programs:
24 \$ 1,212,432
25 c. For transfer to the department of public health
26 to be used for tobacco use prevention, cessation, and
27 treatment through support of Quitline Iowa:
28 \$ 350,000
29 2. Notwithstanding section 8.39, and to the extent
30 that funds appropriated in this section are unexpended
31 or unobligated for the purposes specified in subsection
32 1, the department of human services may transfer funds
33 within or between any of the appropriations made in
34 this section for the following purposes:
35 a. For adoption subsidy payments and services.
36 b. For child care assistance.
37 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM —
38 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
39 OF FUNDS — FY 2012-2013.
40 1. a. Moneys received from the federal government
41 through the child enrollment contingency fund
42 established pursuant to section 103 of the federal
43 Children's Health Insurance Program Reauthorization
44 Act of 2009, Pub. L. No. 111-3, are appropriated to
45 the department of human services for the fiscal year
46 beginning July 1, 2012, and ending June 30, 2013, to be
47 used in addition to any other amounts appropriated for
48 the same purposes for the fiscal year as follows:
49 (1) For adoption subsidy payments and services:
50 \$ 5,290,441

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1 (2) For child care programs:
2 \$ 7,969,021
3 (3) For mental health and disability services
4 redesign technical assistance services:
5 \$ 500,000
6 (4) For the field operations integrity claims unit:
7 \$ 961,100
8 (5) For medical assistance program reimbursement
9 and associated costs:
10 \$ 4,950,428
11 (6) For lodging expenses associated with patient
12 care provided at the university of Iowa hospital and
13 clinics under chapter 249J:
14 \$ 200,000
15 The department of human services shall establish the
16 maximum number of overnight stays and the maximum rate
17 reimbursed for overnight lodging, which may be based on
18 the state employee rate established by the department
19 of administrative services. The funds allocated under
20 this subparagraph shall not be used as nonfederal share
21 matching funds.
22 (7) For ambulance services associated with patient
23 care provided under chapter 249J:
24 \$ 200,000
25 The department of human services shall establish
26 requirements for use of funds in this subparagraph for
27 ambulance services when no other third-party payment is
28 available. The funds allocated in this subparagraph
29 shall not be used as nonfederal share matching funds.
30 (8) For the public purpose of distribution to
31 a statewide nonprofit organization consisting of
32 low-income housing and homelessness service providers,
33 advocates, local governments, lending institutions,
34 and low-income and homeless individuals to be used to
35 empower low-income individuals and to increase their
36 access to affordable housing:
37 \$ 100,000
38 b. Notwithstanding section 8.39, and to the
39 extent that funds appropriated in this subsection are
40 unexpended or unobligated for the purposes specified
41 in paragraph "a", subparagraphs (1) and (2), for the
42 fiscal year beginning July 1, 2012, the department of
43 human services may transfer funds within or between any
44 of the appropriations made in this subsection for the
45 following purposes:
46 (1) For adoption subsidy payments and services.
47 (2) For child care assistance.
48 2. Moneys received from the federal government
49 through the child enrollment contingency fund
50 established pursuant to section 103 of the federal

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1 Children's Health Insurance Program Reauthorization
2 Act of 2009, Pub. L. No. 111-3, are appropriated to
3 the department of human services for the fiscal year
4 beginning July 1, 2012, and ending June 30, 2013, to be
5 used for audit settlements:
6 \$ 2,405,936
7 Notwithstanding section 8.33, moneys appropriated in
8 this subsection that remain unencumbered or unobligated
9 at the close of the fiscal year shall not revert to any
10 other fund but shall remain available for expenditure
11 for the purposes designated until the close of the
12 succeeding fiscal year.>

HEDDENS of Story



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Senate File 2336

H-8481

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 54, after line 32 by inserting:

5 <4. For transfer to the university of Iowa college
6 of dentistry for provision of primary dental services
7 to children:

8 \$ 80,000

9 State funds appropriated in this subsection shall be
10 matched on a dollar-for-dollar basis. The university
11 of Iowa college of dentistry shall coordinate efforts
12 with the department of public health, bureau of oral
13 health and delivery systems, to provide dental care to
14 underserved populations throughout the state.

15 5. For transfer to the department of public health
16 for the human papillomavirus vaccination public
17 awareness program in accordance with section 135.11,
18 subsection 31, as enacted in this Act:

19 \$ 50,000

20 The department of public health may seek private
21 sector moneys for the purpose of supporting the public
22 awareness program.

23 6. For distribution to a nonprofit, tax-exempt
24 association that receives donations under section 170
25 of the Internal Revenue Code and whose members include
26 Iowa food banks and their affiliates that together
27 serve all counties in the state, to be used to purchase
28 food for distribution to food-insecure Iowans:

29 \$ 500,000

30 In purchasing food under this subsection, a
31 preference shall be given to the purchase of food
32 produced, processed, or packaged within this state
33 whenever reasonably practicable.>

34 2. Page 59, after line 38 by inserting:

35 <Sec. _____. Section 135.11, Code Supplement 2011, is
36 amended by adding the following new subsection:

37 **NEW SUBSECTION.** 31. Administer a public awareness
38 program for human papillomavirus infection vaccination
39 by identifying medically accurate materials that
40 contain information regarding the risks associated with
41 the various forms of the infection in causing cervical
42 cancer, and any other diseases for which the department
43 may recommend immunization or immunization information,
44 and the availability, effectiveness, and potential
45 risks of those vaccines. The department shall make
46 the identified materials available on the department's
47 internet site, provide education and training to
48 health professionals and the general public regarding
49 the vaccines, and notify each school district in the
50 state of the availability of the information. For the

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1 purposes of this subsection, "*human papillomavirus*"
2 means the group of viruses identified by the centers
3 for disease control and prevention of the United States
4 department of health and human services.>
5 3. By renumbering as necessary.

HEDDENS of Story



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Senate File 2336

H-8482

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 30, line 31, by striking <36,806,102> and
5 inserting <40,400,160>

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Senate File 2336

H-8483

- 1 Amend the amendment, H-8464, to Senate File 2336,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 59, by striking lines 39 through 50.

MASCHER of Johnson

ABDUL-SAMAD of Polk

BERRY of Black Hawk

COHOON of Des Moines

GAINES of Polk

GASKILL of Wapello

HALL of Woodbury

HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk

ISENHART of Dubuque



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JACOBY of Johnson

KAJTAZOVIC of Black Hawk

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LYKAM of Scott

McCARTHY of Polk

H. MILLER of Webster

MUHLBAUER of Crawford

MURPHY of Dubuque

OLDSON of Polk

R. OLSON of Polk



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T. OLSON of Linn

PETERSEN of Polk

RUNNING-MARQUARDT of Linn

M. SMITH of Marshall

STECKMAN of Cerro Gordo

T. TAYLOR of Linn

THEDE of Scott

THOMAS of Clayton

WESSEL-KROESCHELL of Story

WINCKLER of Scott

WITTNEBEN of Emmet

WOLFE of Clinton



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Senate File 2336

H-8484

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 33, line 35, by striking <79,721,886> and
5 inserting <79,671,886>

HEATON of Henry



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Senate File 2336

H-8485

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 28, after line 42 by inserting:
5 <MEDICAL ASSISTANCE — SAME DAY ENCOUNTERS
6 REIMBURSEMENT
7 Sec. _____. 2011 Iowa Acts, chapter 129, section 122,
8 is amended by adding the following new subsection:
9 NEW SUBSECTION. 31. The department of human
10 services shall provide for reimbursement of federally
11 qualified health centers for medical, behavioral, and
12 dental encounters occurring on the same day to support
13 the patient-centered medical home model.>
14 2. By renumbering as necessary.

HEATON of Henry



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Senate Amendment to
House File 2422

H-8486

- 1 Amend House File 2422, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 17, by striking <or owner>
4 2. Page 1, line 18, after <facility.> by inserting
5 <For purposes of this paragraph, the approval of
6 the administrator of the nursing facility cannot
7 be withheld on the basis of considerations that are
8 otherwise prohibited by state or federal law.>
9 3. Page 2, lines 13 and 14, by striking <or owner>
10 4. Page 2, line 14, after <facility.> by inserting
11 <For purposes of this subsection, the approval of the
12 administrator of the residential care facility cannot
13 be withheld on the basis of considerations that are
14 otherwise prohibited by state or federal law.>
15 5. By striking page 2, line 15, through page 4,
16 line 12, and inserting:
17 <Sec. _____. Section 229A.8A, subsection 5, Code
18 2011, is amended to read as follows:
19 5. Committed Except as provided in subsection 6A,
20 committed persons in the transitional release program
21 are not necessarily required to be segregated from
22 other persons.
23 Sec. _____. Section 229A.8A, Code 2011, is amended by
24 adding the following new subsection:
25 NEW SUBSECTION. 6A. Persons in the transitional
26 release program shall not be released to a health care
27 facility as defined in section 135C.1.
28 Sec. _____. Section 229A.9A, Code 2011, is amended by
29 adding the following new subsection:
30 NEW SUBSECTION. 3A. If a release with or without
31 supervision is ordered, the committed person shall not
32 be released to a health care facility as defined in
33 section 135C.1.>
34 6. Page 5, line 6, by striking <or owner>
35 7. Page 5, line 7, after <program.> by inserting
36 <For purposes of this subsection, the approval of
37 the manager of the assisted living program cannot
38 be withheld on the basis of considerations that are
39 otherwise prohibited by state or federal law.>
40 8. Page 5, by striking lines 8 through 10.
41 9. By striking page 5, line 19, through page 6,
42 line 19.
43 10. Page 8, line 9, after <appeals> by inserting <,
44 in conjunction with the department of human services,>
45 11. Page 8, line 31, by striking <deems> and
46 inserting <and the department of human services deem>
47 12. By striking page 8, line 32, through page 9,
48 line 4.
49 13. By striking page 9, line 5, through page 10,
50 line 12, and inserting:

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1 <3. The committee shall discuss and make
2 recommendations on options to create a new facility
3 or assist an existing facility to expand services
4 to provide care for elderly persons who have
5 previously been declared to be a sexually violent
6 predator pursuant to chapter 229A. The committee
7 shall identify the characteristics of a client
8 for such a facility, the need for such a facility,
9 options for creating a new facility to house such
10 clients, options for the expansion of an existing
11 facility to house such clients, options for using any
12 alternative facilities for such purposes, options for
13 a public-private partnership for such a facility,
14 options for using part of a mental health institute
15 to house such clients, options to qualify a facility
16 for Medicaid reimbursement, cost projections for any
17 recommendations, regulatory challenges, and other
18 information deemed relevant by the department of
19 inspections and appeals and the department of human
20 services. The committee shall also discuss and make
21 recommendations on the authority of nursing facilities,
22 residential care facilities, and assisted living
23 programs to transfer or discharge a resident or tenant
24 who is required to register as a sex offender pursuant
25 to chapter 692A.>

26 14. By striking page 10, line 16, through page 11,
27 line 11, and inserting:

28 <Sec. _____. RESIDENTS AND TENANTS — DISCHARGE. The
29 department of inspections and appeals shall adopt rules
30 that provide that a nursing facility, residential care
31 facility, or assisted living program has the authority
32 to discharge a resident or tenant who is required to
33 register as a sex offender pursuant to chapter 692A
34 based on the person's status as a sex offender as
35 an endangerment to the safety of individuals in the
36 facility or program.

37 Sec. _____. EMERGENCY RULES. If specifically
38 authorized by a provision of this Act, the department
39 of inspections and appeals may adopt administrative
40 rules under section 17A.4, subsection 3, and section
41 17A.5, subsection 2, paragraph "b", to implement
42 the provisions and the rules shall become effective
43 immediately upon filing or on a later effective date
44 specified in the rules, unless the effective date is
45 delayed by the administrative rules review committee.
46 Any rules adopted in accordance with this section
47 shall not take effect before the rules are reviewed
48 by the administrative rules review committee. The
49 delay authority provided to the administrative rules
50 review committee under section 17A.4, subsection 7, and

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1 section 17A.8, subsection 9, shall be applicable to a
2 delay imposed under this section, notwithstanding a
3 provision in those sections making them inapplicable
4 to section 17A.5, subsection 2, paragraph "b". Any
5 rules adopted in accordance with the provisions of this
6 section shall also be published as a notice of intended
7 action as provided in section 17A.4.>
8 15. Title page, by striking lines 1 through 4 and
9 inserting <An Act relating to the care and housing of
10 elderly sex offenders and sexually violent predators
11 and including effective date provisions.>
12 16. By renumbering as necessary.



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Senate File 2336

H-8487

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 33, line 35, by striking <79,721,886> and
5 inserting <79,871,886>
6 2. Page 37, line 7, by striking <\$1,088,285> and
7 inserting <\$1,238,285>
8 3. Page 37, line 11, by striking <\$100,000> and
9 inserting <\$250,000>

KRESSIG of Black Hawk

KAJTAZOVIC of Black Hawk

BERRY of Black Hawk



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Senate File 2336

H-8488

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 34, by striking <3,424,366> and
5 inserting <3,924,366>
6 2. Page 10, after line 43 by inserting:
7 <j. Of the funds appropriated in this subsection,
8 \$500,000 shall be used for provision of early
9 prevention screening by pap smear and advanced
10 screening by colposcope for women with incomes below
11 250 percent of the federal poverty level, as defined
12 by the most recently revised poverty income guidelines
13 issued by the United States department of health and
14 human services, who are not covered by a third-party
15 payer health policy or contract that pays for such
16 procedures and related laboratory services. The
17 department shall distribute the amount allocated in
18 this lettered paragraph to providers on behalf of
19 eligible persons within the target population.>
20 3. Page 14, line 14, by striking <1,335,155> and
21 inserting <2,335,155>
22 4. Page 14, after line 15 by inserting:
23 <a. Of the funds appropriated in this subsection,
24 \$1,000,000 shall be used for provision of vaccinations
25 for human papillomavirus to persons age 19 through
26 26 with incomes below 300 percent of the federal
27 poverty level, as defined by the most recently revised
28 poverty income guidelines issued by the United States
29 department of health and human services, who are
30 not covered by a third-party payer health policy
31 or contract that pays for such vaccinations. The
32 department shall distribute the amount allocated in
33 this lettered paragraph to providers on behalf of
34 eligible persons within the target population.>
35 5. Page 14, line 16, by striking <The> and
36 inserting:
37 <b. The>
38 6. By renumbering as necessary.

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Senate File 2336

H-8489

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 25, by striking lines 31 and 32 and
5 inserting <law, and consistent with options under
6 federal law and regulations:>

7 2. Page 25, after line 34 by inserting:

8 <Sec. _____. 2011 Iowa Acts, chapter 129, section
9 122, subsection 1, unnumbered paragraph 1, is amended
10 to read as follows:

11 Iowans support reducing the number of abortions
12 performed in our state. Funds appropriated in this
13 section shall not be used for abortions. For the
14 purposes of this section, "abortion" does not include
15 any of the following:

16 a. The treatment of a woman for a physical
17 disorder, physical injury, or physical illness,
18 including a life-endangering physical condition caused
19 by or arising from the pregnancy itself, that would,
20 as certified by a physician, place the woman in danger
21 of death.

22 b. The treatment of a woman for a spontaneous
23 abortion, commonly known as a miscarriage, when not all
24 of the products of conception are expelled.

25 1A. For an abortion covered under the program,
26 except in the case of a medical emergency, as defined
27 in section 135L.1, for any woman, the physician shall
28 certify both of the following:>

29 3. Page 48 after line 39 by inserting:

30 <Sec. _____. 2011 Iowa Acts, chapter 129, section
31 146, subsection 1, paragraph a, subparagraph (1), is
32 amended to read as follows:

33 (1) Funds appropriated in this subsection shall
34 not be used for abortions shall be used in a manner
35 consistent with options under federal Medicaid law
36 and regulation. For the purposes of this subsection,
37 "abortion" does not include any of the following:

38 (a) The treatment of a woman for a physical
39 disorder, physical injury, or physical illness,
40 including a life-endangering physical condition caused
41 by or arising from the pregnancy itself, that would,
42 as certified by a physician, place the woman in danger
43 of death.

44 (b) The treatment of a woman for a spontaneous
45 abortion, commonly known as a miscarriage, when not all
46 of the products of conception are expelled.>

47 4. Page 61 after line 11 by inserting:

48 <DIVISION ____
49 DISTRIBUTION OF FAMILY PLANNING FUNDS
50 Sec. _____. DISTRIBUTION OF FAMILY PLANNING FUNDS.

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1 1. As used in this section, unless the context
2 otherwise requires:
3 a. "Department" means department as defined in
4 section 7E.4.
5 b. "Federally qualified health center" means a
6 health care provider that is eligible for federal
7 funding under 42 U.S.C. § 1396d(1)(2)(B).
8 2. Notwithstanding any other law to the contrary,
9 any expenditure, award, or other distribution of state
10 or federal family planning funds shall be made to
11 eligible applicants in the following order of priority:
12 a. Public entities that provide family planning
13 services including state, county, or local community
14 health clinics and federally qualified health centers.
15 b. Nonpublic entities that, in addition to family
16 planning services, provide required primary health
17 services as described in 42 U.S.C. § 254b(b)(1)(A).
18 c. Nonpublic entities that provide family planning
19 services but do not provide required primary health
20 services as described in 42 U.S.C. § 254b(b)(1)(A).
21 3. A department shall ensure distribution of
22 federal family planning funds in a manner that does not
23 severely limit or eliminate access to family planning
24 services in any region of the state.
25 4. A department shall not distribute state or
26 federal family planning funds under this section to
27 any entity that performs abortions or that maintains
28 or operates a facility where abortions are performed.
29 For the purposes of this section, "abortion" does not
30 include any of the following:
31 a. The treatment of a woman for a physical
32 disorder, physical injury, or physical illness,
33 including a life-endangering physical condition caused
34 by or arising from the pregnancy itself, that would,
35 as certified by a physician, place the woman in danger
36 of death.
37 b. The treatment of a woman for a spontaneous
38 abortion, commonly known as a miscarriage, when not all
39 of the products of conception are expelled.
40 5. State or federal family planning funds
41 distributed in accordance with this section shall not
42 be used for direct or indirect costs, including but not
43 limited to administrative costs or expenses, overhead,
44 employee salaries, rent, and telephone and other
45 utilities, related to providing abortions as specified
46 in subsection 4.
47 6. Any department that distributes state or federal
48 family planning funds shall submit a report to the
49 governor and the general assembly, annually by December
50 31, listing any entities receiving family planning

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1 funds as described in subsection 2, paragraph "c", and
2 the amount and type of funds received by such entities
3 during the preceding calendar year. The report shall
4 provide a detailed explanation of how the department
5 determined that distribution of family planning funds
6 to such an entity, instead of to an entity described
7 in subsection 2 paragraph "a" or "b", was necessary to
8 prevent severe limitation or elimination of access to
9 family planning services in the region of the state in
10 which the entity is located.>
11 5. By renumbering as necessary.

SWEENEY of Hardin

ROGERS of Black Hawk

DE BOEF of Keokuk

PETTENGILL of Benton

TJEPKES of Webster

LOFGREN of Muscatine

BRANDENBURG of Pottawattamie

CHAMBERS of O'Brien

HUSEMAN of Cherokee



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HAGENOW of Polk

GRASSLEY of Butler

DOLECHECK of Ringgold

FRY of Clarke

HANUSA of Pottawattamie

J. TAYLOR of Woodbury

VAN ENGELHOFEN of Marion

KLEIN of Washington

WORTHAN of Buena Vista

BYRNES of Mitchell

SODERBERG of Plymouth

RAECKER of Polk

HAGER of Allamakee



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MASSIE of Warren

RAYHONS of Hancock

BAUDLER of Adair

ALONS of Sioux

VANDER LINDEN of Mahaska

J. SMITH of Dickinson

HEIN of Jones

KOESTER of Polk

SCHULTZ of Crawford

DEYOE of Story

HELLAND of Polk

PEARSON of Polk

DRAKE of Cass



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GARRETT of Warren

FORRISTALL of Pottawattamie

L. MILLER of Scott

RASMUSSEN of Buchanan

WATTS of Dallas

UPMEYER of Hancock

WINDSCHITL of Harrison

JORGENSEN of Woodbury

ANDERSON of Page

SHAW of Pocahontas

LUKAN of Dubuque



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Senate File 2336

H-8490

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 23, line 12, by striking <45,286,573> and
5 inserting <45,886,573>
6 2. Page 23, line 17, by striking <2,463,854> and
7 inserting <3,063,854>

M. SMITH of Marshall

ABDUL-SAMAD of Polk

BERRY of Black Hawk

COHOON of Des Moines

GAINES of Polk

GASKILL of Wapello

HALL of Woodbury

HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk



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ISENHART of Dubuque

JACOBY of Johnson

KAJTAZOVIC of Black Hawk

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LYKAM of Scott

MASCHER of Johnson

H. MILLER of Webster

MUHLBAUER of Crawford

MURPHY of Dubuque

OLDSON of Polk



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R. OLSON of Polk

T. OLSON of Linn

PETERSEN of Polk

RUNNING-MARQUARDT of Linn

STECKMAN of Cerro Gordo

SWAIM of Davis

T. TAYLOR of Linn

THEDE of Scott

THOMAS of Clayton

WESSEL-KROESCHELL of Story

WILLEMS of Linn

WINCKLER of Scott

WITTNEBEN of Emmet



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WOLFE of Clinton



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Senate File 2336

H-8491

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 60, after line 45 by inserting:
5 <Sec. _____. Section 231.41, Code 2011, is amended to
6 read as follows:
7 **231.41 Purpose.**
8 The purpose of this subchapter is to establish
9 the office of long-term care resident's advocate
10 within as an autonomous agency which is attached to
11 the department for organizational purposes only in
12 accordance with the requirements of the federal Act,
13 and to adopt the supporting federal regulations and
14 guidelines for its operation.
15 Sec. _____. Section 231.42, subsection 1, Code 2011,
16 is amended to read as follows:
17 1. *Office established.* The office of long-term
18 care resident's advocate is established within as an
19 autonomous agency which is attached to the department
20 for organizational purposes only, in accordance with
21 section 712 of the federal Act, as codified at 42
22 U.S.C. § 3058g. The office shall consist of the
23 state long-term care resident's advocate and any local
24 long-term care resident's advocates.>
25 2. By renumbering as necessary.

GASKILL of Wapello

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Senate File 2336

H-8492

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 25, line 34, by striking <950,526,658> and
5 inserting <950,826,658>
6 2. Page 28, after line 42 by inserting:
7 <MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITALS
8 Sec. _____. 2011 Iowa Acts, chapter 129, section 122,
9 is amended by adding the following new subsection:
10 NEW SUBSECTION. 31. The amount appropriated in
11 this section includes \$300,000 which shall be used
12 to increase the amount budgeted for reimbursement of
13 disproportionate share hospitals.>
14 3. By renumbering as necessary.

KEARNS of Lee

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Senate File 2336

H-8493

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 59, by striking lines 41 through 50 and
5 inserting:

6 <NEW PARAGRAPH. *g.* Any outpatient surgical
7 facility that meets all of the following conditions:

8 (1) Functions to provide treatment exclusively for
9 ophthalmic conditions, diseases, or disorders.

10 (2) As of July 1, 2012, is physically connected to
11 or in the same structure as the private practice office
12 of any physician participating as medical staff of the
13 outpatient surgical facility.

14 (3) Is restricted to use by any such participating
15 physician.

16 (4) Is located in a city of greater than one
17 hundred twenty thousand but less than one hundred forty
18 thousand population.>

19 2. By renumbering as necessary.

L. MILLER of Scott

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Senate File 2336

H-8494

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 37, line 7, by striking <\$1,088,285> and
5 inserting <\$988,285>
6 2. Page 37, by striking lines 10 through 12 and
7 inserting <section 135.118.>
8 3. Page 37, before line 13 by inserting:
9 <12A. In addition to the amount appropriated in
10 this section, there is appropriated from the general
11 fund of the state to the department of human services
12 for the fiscal year beginning July 1, 2012, and
13 ending June 30, 2013, \$250,000 to be used for a child
14 protection center for the Black Hawk county area.>
15 4. By renumbering as necessary.

KRESSIG of Black Hawk

KAJTAZOVIC of Black Hawk

BERRY of Black Hawk

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House File 2449

H-8495

1 Amend House File 2449 as follows:

2 1. Page 7, after line 27 by inserting:

3 <DIVISION

4 ENERGY EFFICIENCY

5 Sec. _____. DEPARTMENT OF ADMINISTRATIVE SERVICES —
6 ENERGY EFFICIENCY EFFORTS.

7 1. The department of administrative services shall
8 require, beginning July 1, 2012, that all passenger
9 cars purchased or leased by the state shall have a
10 United States environmental protection agency estimated
11 highway-mileage rating of at least thirty-five miles
12 per gallon.

13 2. The department of administrative services
14 shall report to the general assembly and governor by
15 November 15, 2012, regarding the feasibility of giving
16 preference to or requiring the purchase or lease of
17 electric and natural-gas powered vehicles with a United
18 States environmental protection agency estimated
19 highway-mileage rating of at least forty-five miles per
20 gallon.

21 3. Funds appropriated to a state agency for utility
22 expenses shall not be transferred or reallocated, and
23 any such unexpended funds at the end of a fiscal year
24 shall not revert to the general fund of the state but
25 shall be allocated to the Iowa energy bank revolving
26 loan fund, to be used exclusively to finance energy
27 improvements to state-owned properties.

28 4. The department of administrative services shall
29 require that the procurement of any product by a state
30 agency conform to energy star specifications current
31 at the time of contract or purchase if the product is
32 subject to energy star labeling.

33 5. The department of administrative services shall
34 provide for least-cost lighting of state buildings
35 and property under its control, and shall work with
36 other state departments and agencies responsible for
37 the energy costs of buildings and property under their
38 control to do the same, based on minimizing energy use
39 and the life-cycle costs of the energy technology.

40 6. The department of administrative services
41 shall establish a program with other state agencies
42 to replace or deploy battery chargers and other smart
43 power technology that turns off the power source to the
44 adapter or battery once the battery is charged or cuts
45 power to unused electrical devices.

46 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
47 of this Act, being deemed of immediate importance,
48 takes effect upon enactment.

49 DIVISION

50 PERFORMANCE-BASED EFFICIENCY CONTRACTS

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1 Sec. _____. NEW SECTION. 8B.1 Legislative intent.

2 The general assembly finds that investment in
3 energy conservation measures by public facilities
4 can reduce the amount of energy and other resources
5 consumed by the facilities; reduce ongoing operational
6 costs; improve comfort, reliability, and the indoor
7 environment for employees and citizens; produce a
8 positive environmental impact; enhance revenues
9 generated by governmental units; and create local jobs,
10 producing both immediate and long-term cost savings
11 and other benefits. It is the policy of this state to
12 encourage state agencies, departments, and divisions;
13 public health facilities; public universities and
14 community colleges, school districts, and area
15 education agencies; and counties, municipalities,
16 and other political subdivisions to implement energy
17 conservation and facility improvement measures
18 that reduce energy, water, wastewater, or any other
19 utility or operating costs, and, when economically
20 feasible, build, operate, maintain, or renovate public
21 facilities and systems in a manner that will minimize
22 operational costs and maximize utility savings and
23 other efficiencies. It is additionally the policy of
24 this state to encourage reinvestment of the savings and
25 revenues resulting from energy conservation measures
26 into additional and continued energy conservation
27 efforts through performance-based efficiency contracts
28 and other measures deemed appropriate by a governmental
29 unit.

30 Sec. _____. NEW SECTION. 8B.2 Definitions.

31 As used in this chapter, unless the context
32 otherwise requires:

33 1. "Department" means the department of
34 administrative services.

35 2. "Energy conservation measure" or "facility
36 improvement measure" means a program, facility
37 alteration, equipment installation, remodeling of a
38 new or existing building, or technology upgrade, which
39 is designed to reduce energy, water, wastewater, or
40 other utility or operating costs, or enhance billable
41 revenue, including but not limited to the following:

42 a. Employee training and occupant behavior
43 modification programs.

44 b. Insulation of building structures and systems
45 within buildings.

46 c. Windows and window systems, roofs and
47 roofing materials, caulking or weather stripping,
48 installation or modification of doors, heat-absorbing
49 or heat-reflecting applications, or other modifications
50 to windows, doors, or the building envelope, that

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1 reduce energy and operating costs.
2 *d.* Automated or computerized energy or facility
3 control systems.
4 *e.* Heating, ventilation, and air-conditioning
5 systems, including specialty systems serving food
6 service, laboratory, and other applications.
7 *f.* Lighting systems and fixtures, including
8 daylighting systems.
9 *g.* Energy recovery systems.
10 *h.* Systems that produce steam or forms of energy
11 such as heat in addition to electricity.
12 *i.* Renewable energy systems or other distributed
13 power generation systems.
14 *j.* Water and wastewater fixtures, appliances, and
15 equipment.
16 *k.* Improvements to water distribution, sewer, and
17 wastewater treatment facilities.
18 *l.* Landscaping measures that reduce watering
19 demands and capture and hold applied water and
20 rainfall.
21 *m.* Metering or related equipment or systems
22 that improve the accuracy or efficiency of billable
23 revenue-generating systems.
24 *n.* Automated, electronic, or remotely controlled
25 technologies, systems, or measures that reduce
26 operating costs.
27 *o.* Installation and modification of software-based
28 systems that reduce facility management or other
29 facility operating costs.
30 *p.* Programs to reduce energy costs through rate
31 adjustments, load shifting to reduce peak demand, or
32 use of alternative energy suppliers, including but not
33 limited to demand response programs, changes to more
34 favorable rate schedules, negotiation of lower rates
35 or new suppliers, or auditing of utility billing and
36 metering.
37 *q.* Energy information and control systems that
38 monitor consumption, redirect systems to optimal energy
39 sources, and manage energy-using equipment.
40 *r.* Any measure not otherwise described in this
41 chapter that is designed to produce utility consumption
42 or operational cost savings, revenue enhancements, or
43 similar efficiency gains to a governmental unit.
44 3. "Governmental unit" means any authority,
45 board, bureau, commission, department, agency, or
46 institution of a government agency, including but
47 not limited to any state agency, or any county,
48 city, district, municipal corporation, municipality,
49 municipal authority, political subdivision, school
50 district, educational institution, incorporated town,

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1 township, other incorporated district, or other public
2 instrumentality which has the authority to contract for
3 the construction, reconstruction, alteration, or repair
4 of any public building or other public work or public
5 improvement.

6 4. "Performance-based efficiency contract" means a
7 contract between a governmental unit and a qualified
8 provider for the evaluation and recommendation of
9 energy conservation or facility improvement measures
10 and for implementation of one or more such measures.

11 5. "Qualified provider" means a person with a
12 record of documented performance-based efficiency
13 contract projects who is experienced in the design,
14 implementation, and installation of energy conservation
15 or facility-improvement measures; and has the
16 technical capabilities to verify that such measures
17 generate energy and operational cost savings or
18 enhanced revenues. A "qualified provider" provides
19 a governmental unit with the following information
20 and services in connection with a performance-based
21 efficiency contract:

- 22 a. Project design and specifications.
- 23 b. Construction and construction management.
- 24 c. Commissioning.
- 25 d. Ongoing services as required.
- 26 e. Measurement, verification, and guarantee
27 of savings from energy conservation or
28 facility-improvement measures.

29 Sec. _____. **NEW SECTION. 8B.3 Selection of qualified
30 provider — award of performance-based contract —
31 contracting procedures and provisions — funding.**

32 1. A governmental unit may enter into a
33 performance-based efficiency contract with a
34 qualified provider in accordance with the provisions
35 of this chapter. The department shall issue a
36 request for proposals to screen and prequalify
37 prospective qualified providers wishing to enter
38 into performance-based efficiency contracts with
39 governmental units. The request for proposals shall
40 include but not be limited to qualified provider
41 documentation of provider expertise and credentials,
42 past experience with performance-based efficiency
43 contracts with governmental units, identification
44 of financial partners, if any, associated with
45 the qualified provider, and the ability to provide
46 and fulfill performance guarantees. Based on the
47 request for proposals, the department shall develop
48 and maintain a list of prequalified qualified
49 providers. A governmental unit seeking to enter into a
50 performance-based efficiency contract with a qualified

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1 provider shall either select a qualified provider from
2 the list developed by the department, or shall limit
3 the issuance of a request for proposals to qualified
4 providers contained on the list.
5 2. A governmental unit may select a qualified
6 provider under the procedures specified in subsection
7 1 that best meets the needs of the governmental
8 unit in accordance with criteria established by the
9 governmental unit. After reviewing the qualifications
10 of one or more qualified providers, a governmental
11 unit may enter into a performance-based efficiency
12 contract with a qualified provider if it finds that
13 the amount the governmental unit would spend on the
14 energy conservation and facility-improvement measures
15 recommended in the proposal would not exceed the
16 amount of energy and operational cost savings or
17 revenue enhancements derived from the measures within a
18 twenty-year period from the date of installation.
19 3. A qualified provider to whom a performance-based
20 efficiency contract is awarded shall provide a one
21 hundred percent performance bond to the governmental
22 unit to assure the provider's faithful and complete
23 performance of the contract.
24 4. A performance-based efficiency contract
25 shall include a written guarantee by the qualified
26 provider that the savings and efficiency gains, in the
27 aggregate, will meet or exceed the cost of the energy
28 conservation or facility improvement measures to be
29 implemented under the contract. The qualified provider
30 shall be responsible, pursuant to the performance-based
31 efficiency contract, for measuring and verifying the
32 guaranteed savings and efficiency gains provided by the
33 implemented measures by using one of the measurement
34 and verification methodologies set forth in the
35 international performance measurement and verification
36 protocol. If, due to existing data limitations or the
37 nonconformance of specific project characteristics,
38 none of the methods listed in the international
39 performance measurement and verification protocol
40 is sufficient for measuring guaranteed savings and
41 efficiency gains, the qualified provider shall develop
42 and document an alternate method that is compatible
43 with the protocol.
44 5. An improvement that is not essential or causally
45 connected to an energy conservation measure may be
46 included in a performance-based efficiency contract
47 only to the extent that such expenditures do not,
48 in the aggregate, require the governmental unit to
49 contract for the improvements in a manner other than
50 that specified in the contract.

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1 6. A facility alteration which includes
2 expenditures that are required to properly implement
3 other energy conservation measures may be included as
4 part of a performance-based efficiency contract. In
5 such a case, notwithstanding any other provision of
6 law, the installation of these additional measures may
7 be supervised by the qualified provider.
8 7. A governmental unit may enter into an
9 installment payment or lease-purchase agreement to
10 finance costs associated with the performance-based
11 efficiency contract. The qualified provider shall
12 either provide financing directly for the installment
13 payment or lease-purchase agreement or arrange
14 third-party financing. A contract shall provide for
15 all costs to be repaid in full within fifteen years
16 following the date the contract was entered into,
17 subject to extensions of up to five additional years
18 if projected savings sufficient to achieve project
19 repayment do not materialize during the fifteen-year
20 period following the date the contract was entered
21 into. The qualified provider or financing entity
22 shall be responsible for any costs not fully recovered
23 after twenty years. A governmental unit shall use
24 only documented energy savings as identified in
25 the performance-based efficiency contract for the
26 purpose of making installment or lease-purchase
27 payments pursuant to the contract, together with
28 energy efficiency rebates supplied or provided by a
29 public utility, if applicable. If energy savings and
30 rebates are insufficient to fully fund installment
31 or lease-purchase payments, the qualified provider
32 or financing entity shall carry forward the excess
33 to future years. A public utility shall provide all
34 necessary support to facilitate a performance-based
35 efficiency contract, including but not limited to
36 energy use and costs to disclosure to a qualified
37 provider selected by the governmental unit and a
38 financing entity, if applicable.
39 8. Any amount of the performance-based efficiency
40 contract or installment payment or lease-purchase
41 agreements costs that is guaranteed by the qualified
42 provider shall be excluded from any limits or
43 requirements imposed by sections 297.36, 331.402, and
44 384.24A.
45 9. A governmental unit entering into a
46 performance-based efficiency contract shall submit
47 a report to the department by January 1, annually,
48 regarding progress pursuant to the contract, results
49 received, and containing any additional information as
50 specified by the department.>

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1 2. By renumbering as necessary.

ISENHART of Dubuque



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Senate File 2336

H-8496

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 28, line 42, after <supports.> by inserting
5 <The department of human services, in cooperation with
6 the department on aging and the department of public
7 health, shall convene a stakeholder implementation
8 and evaluation advisory committee to ensure that
9 implementation timelines are established, goals are
10 met, performance is evaluated at regular intervals, and
11 implementation is accomplished in a coordinated and
12 integrated manner and without duplication. The state
13 implementation work plan developed by the advisory
14 committee and submitted by the department of human
15 services to the centers for Medicare and Medicaid
16 services of the United States department of health and
17 human services shall provide for sufficient resources
18 to develop the infrastructure necessary to meet the
19 structural changes requirements of the state balancing
20 incentive payments program.>

M. SMITH of Marshall



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Senate File 2335

S-5218

- 1 Amend Senate File 2335 as follows:
2 1. Page 1, line 27, after <incurred by> by
3 inserting <the state or>
4 2. Page 1, line 29, after <incurred by> by
5 inserting <the state or>
6 3. Page 1, line 32, after <incurred by> by
7 inserting <the state or>
8 4. By striking page 2, line 27, through page 3,
9 line 11, and inserting:
10 <a. One member appointed by the Iowa peace officers
11 association.
12 b. One member appointed by the Iowa state sheriff's
13 and deputies association.
14 c. One member appointed by the Iowa police chiefs
15 association.
16 d. One member who is a fire chief appointed by the
17 Iowa fire chiefs association.
18 e. One member who is a fire chief appointed by the
19 Iowa professional fire chiefs association.
20 f. One member who is the chief of the Iowa fire
21 service training bureau or the chief's designee.
22 g. Two members who are representatives of the fire
23 service appointed by the Iowa firefighters association.
24 h. The director of the Iowa law enforcement academy
25 or the director's designee.
26 i. The commissioner of the department of public
27 safety or the commissioner's designee.
28 j. Two members who are appointed by the Iowa
29 professional firefighters.
30 k. The state fire marshal or the state fire
31 marshal's designee.
32 l. The director of the department of corrections or
33 the director's designee.
34 m. One member appointed by the chief of the bureau
35 of emergency medical services of the Iowa department
36 of public health.
37 n. One member appointed by the Iowa emergency
38 medical services association.
39 o. One member appointed by the Iowa state police
40 association.
41 p. One member appointed by the state police
42 officers council who is representing peace officers
43 within the department of public safety.
44 q. One member appointed by the state police
45 officers council who is representing employees of the
46 department of natural resources.
47 r. One member who is the chief of the law
48 enforcement bureau of the department of natural
49 resources or the chief's designee.
50 s. One member appointed by the governor who

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1 is a public member who has no personal interest
2 or occupational responsibilities in the area of
3 responsibility given to the task force and represents
4 the interests of the public in general.
5 t. One member appointed by the collective
6 bargaining unit that represents the largest number of
7 employees in the department of corrections.
8 u. One member appointed by the collective
9 bargaining unit that represents the largest number of
10 jailers and dispatchers in this state.
11 v. One member appointed by the Iowa association of
12 community college presidents.>
13 5. By renumbering as necessary.

STEVEN SODDERS



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House File 2422

S-5219

- 1 Amend House File 2422, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 17, by striking <or owner>
4 2. Page 1, line 18, after <facility.> by inserting
5 <For purposes of this paragraph, the approval of
6 the administrator of the nursing facility cannot
7 be withheld on the basis of considerations that are
8 otherwise prohibited by state or federal law.>
9 3. Page 2, lines 13 and 14, by striking <or owner>
10 4. Page 2, line 14, after <facility.> by inserting
11 <For purposes of this subsection, the approval of the
12 administrator of the residential care facility cannot
13 be withheld on the basis of considerations that are
14 otherwise prohibited by state or federal law.>
15 5. By striking page 2, line 15, through page 4,
16 line 12, and inserting:
17 <Sec. _____. Section 229A.8A, subsection 5, Code
18 2011, is amended to read as follows:
19 5. Committed Except as provided in subsection 6A,
20 committed persons in the transitional release program
21 are not necessarily required to be segregated from
22 other persons.
23 Sec. _____. Section 229A.8A, Code 2011, is amended by
24 adding the following new subsection:
25 NEW SUBSECTION. 6A. Persons in the transitional
26 release program shall not be released to a health care
27 facility as defined in section 135C.1.
28 Sec. _____. Section 229A.9A, Code 2011, is amended by
29 adding the following new subsection:
30 NEW SUBSECTION. 3A. If a release with or without
31 supervision is ordered, the committed person shall not
32 be released to a health care facility as defined in
33 section 135C.1.>
34 6. Page 5, line 6, by striking <or owner>
35 7. Page 5, line 7, after <program.> by inserting
36 <For purposes of this subsection, the approval of
37 the manager of the assisted living program cannot
38 be withheld on the basis of considerations that are
39 otherwise prohibited by state or federal law.>
40 8. Page 5, by striking lines 8 through 10.
41 9. By striking page 5, line 19, through page 6,
42 line 19.
43 10. Page 8, line 9, after <appeals> by inserting <,
44 in conjunction with the department of human services,>
45 11. Page 8, line 31, by striking <deems> and
46 inserting <and the department of human services deem>
47 12. By striking page 8, line 32, through page 9,
48 line 4.
49 13. By striking page 9, line 5, through page 10,
50 line 12, and inserting:

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1 <3. The committee shall discuss and make
2 recommendations on options to create a new facility
3 or assist an existing facility to expand services
4 to provide care for elderly persons who have
5 previously been declared to be a sexually violent
6 predator pursuant to chapter 229A. The committee
7 shall identify the characteristics of a client
8 for such a facility, the need for such a facility,
9 options for creating a new facility to house such
10 clients, options for the expansion of an existing
11 facility to house such clients, options for using any
12 alternative facilities for such purposes, options for
13 a public-private partnership for such a facility,
14 options for using part of a mental health institute
15 to house such clients, options to qualify a facility
16 for Medicaid reimbursement, cost projections for any
17 recommendations, regulatory challenges, and other
18 information deemed relevant by the department of
19 inspections and appeals and the department of human
20 services. The committee shall also discuss and make
21 recommendations on the authority of nursing facilities,
22 residential care facilities, and assisted living
23 programs to transfer or discharge a resident or tenant
24 who is required to register as a sex offender pursuant
25 to chapter 692A.>

26 14. By striking page 10, line 16, through page 11,
27 line 11, and inserting:

28 <Sec. _____. RESIDENTS AND TENANTS — DISCHARGE. The
29 department of inspections and appeals shall adopt rules
30 that provide that a nursing facility, residential care
31 facility, or assisted living program has the authority
32 to discharge a resident or tenant who is required to
33 register as a sex offender pursuant to chapter 692A
34 based on the person's status as a sex offender as
35 an endangerment to the safety of individuals in the
36 facility or program.

37 Sec. _____. EMERGENCY RULES. If specifically
38 authorized by a provision of this Act, the department
39 of inspections and appeals may adopt administrative
40 rules under section 17A.4, subsection 3, and section
41 17A.5, subsection 2, paragraph "b", to implement
42 the provisions and the rules shall become effective
43 immediately upon filing or on a later effective date
44 specified in the rules, unless the effective date is
45 delayed by the administrative rules review committee.
46 Any rules adopted in accordance with this section
47 shall not take effect before the rules are reviewed
48 by the administrative rules review committee. The
49 delay authority provided to the administrative rules
50 review committee under section 17A.4, subsection 7, and

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1 section 17A.8, subsection 9, shall be applicable to a
2 delay imposed under this section, notwithstanding a
3 provision in those sections making them inapplicable
4 to section 17A.5, subsection 2, paragraph "b". Any
5 rules adopted in accordance with the provisions of this
6 section shall also be published as a notice of intended
7 action as provided in section 17A.4.>
8 15. Title page, by striking lines 1 through 4 and
9 inserting <An Act relating to the care and housing of
10 elderly sex offenders and sexually violent predators
11 and including effective date provisions.>
12 16. By renumbering as necessary.

TOM HANCOCK



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Senate File 2338 - Introduced

SENATE FILE 2338
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 2299)
(SUCCESSOR TO SSB 3176)

A BILL FOR

1 An Act relating to government operations and efficiency and
2 other related matters, providing penalties, and including
3 effective date and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I
2 GOVERNMENT INFORMATION TECHNOLOGY SERVICES
3 Section 1. Section 8A.205, subsection 2, paragraph g, Code
4 2011, is amended to read as follows:
5 g. Encourage participating agencies to utilize duplex
6 printing and a print on demand strategy to reduce printing
7 costs, publication overruns, excessive inventory, and obsolete
8 printed materials.
9 Sec. 2. DEPARTMENT OF ADMINISTRATIVE SERVICES —
10 INFORMATION TECHNOLOGY DEVICE INVENTORY.
11 1. The department of administrative services shall complete
12 an inventory of information technology devices utilized by the
13 department and participating agencies, as defined in section
14 8A.201. The department shall conduct the inventory with the
15 goal of identifying potential information technology device
16 upgrades, changes, or other efficiencies that will meet the
17 information technology needs of the applicable department or
18 agency at reduced cost to the state.
19 2. The department shall submit a report to the general
20 assembly by January 1, 2013, describing the department's
21 actions as required by this section. The report shall,
22 if applicable, identify any statutory barriers or needed
23 technology investments for pursuing efforts described in this
24 section and shall include in the report its findings and any
25 recommendations for legislative action.
26 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES —
27 INFORMATION TECHNOLOGY COORDINATION AND MANAGEMENT.
28 1. The department of administrative services, in accordance
29 with the requirements of 2010 Acts, chapter 1031, and Code
30 section 8A.202, subsection 2, paragraph "g", to coordinate and
31 manage information technology services within the department,
32 shall establish a schedule by which all departments subject
33 to the requirements of that Act and chapter 8A shall comply
34 with these requirements. The schedule shall provide for
35 implementation of the requirements to all affected state

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1 agencies and departments by December 31, 2013. The department
2 shall submit a copy of the schedule to the general assembly
3 by July 31, 2012, and shall provide periodic updates to the
4 general assembly on the progress of meeting the time deadlines
5 contained in the schedule.

6 2. In procuring information technology as provided in
7 section 8A.207, the department of administrative services
8 should explore strategies of procuring information technology
9 through leasing.

10 DIVISION II

11 HEALTH INSURANCE TASK FORCE

12 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE TASK FORCE.

13 1. A state employee health insurance task force is created
14 under the authority of the legislative council. Members of
15 the task force shall be appointed by the legislative council
16 and shall include but not be limited to members of the
17 general assembly; representatives of employee organizations
18 representing state employees; representatives of employers of
19 state employees, including the judicial branch; representatives
20 involved in administering employee health benefits from the
21 department of administrative services; and representatives from
22 insurers providing group health insurance to state employees.

23 2. The task force shall examine all aspects of providing
24 health care coverage to state employees and their families
25 with the goal of providing quality health care coverage at an
26 affordable cost. The task force shall examine strategies for
27 reducing the cost of health care coverage, including but not
28 limited to wellness and other comparable programs.

29 3. The task force shall submit a report, including its
30 findings and recommendations, to the general assembly by
31 December 31, 2012.

32 DIVISION III

33 MEDICATION THERAPY MANAGEMENT

34 Sec. 5. NEW SECTION. 8A.441 Medication therapy management.

35 1. As used in this section, unless the context otherwise

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1 requires:

2 a. *"Eligible employee"* means an employee of the state, with
3 the exception of an employee of the state board of regents or
4 institutions under the state board of regents, for whom group
5 health plans are established pursuant to chapter 509A providing
6 for third-party payment or prepayment for health or medical
7 expenses.

8 b. *"Medication therapy management"* means a systematic
9 process performed by a licensed pharmacist, designed to improve
10 quality outcomes for patients and lower health care costs,
11 including emergency room, hospital, provider, and other costs,
12 by optimizing appropriate medication use linked directly to
13 achievement of the clinical goals of therapy. Medication
14 therapy management shall include all of the following services:

15 (1) A medication therapy review and in-person consultation
16 relating to all medications, vitamins, and herbal supplements
17 currently being taken by an eligible individual.

18 (2) A medication action plan, subject to the limitations
19 specified in this section, communicated to the individual and
20 the individual's primary care physician or other appropriate
21 prescriber to address issues including appropriateness,
22 effectiveness, safety, drug interactions, and adherence. The
23 medication action plan may include drug therapy recommendations
24 to prescribers that are needed to meet clinical goals and
25 achieve optimal patient outcomes.

26 (3) Documentation and follow-up to ensure consistent levels
27 of pharmacy services and positive outcomes.

28 2. a. The department shall utilize a request for proposals
29 process and shall enter into a contract for the provision of
30 medication therapy management services for eligible employees
31 who meet any of the following criteria:

32 (1) An individual who takes four or more prescription drugs
33 to treat or prevent two or more chronic medical conditions.

34 (2) An individual with a prescription drug therapy problem
35 who is identified by the prescribing physician or other

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1 appropriate prescriber, and referred to a pharmacist for
2 medication therapy management services.

3 (3) An individual who meets other criteria established by
4 the third-party payment provider contract, policy, or plan.

5 b. The contract shall require the entity to provide annual
6 reports to the general assembly detailing the costs, savings,
7 estimated cost avoidance and return on investment, and improved
8 patient outcomes related to the medication therapy management
9 services provided. The entity shall guarantee demonstrated
10 annual savings for overall health care costs, including
11 emergency room, hospital, provider, and other costs, with
12 savings including associated cost avoidance, at least equal
13 to the program's costs with any shortfall amount refunded to
14 the state. The contract shall include terms, conditions,
15 and applicable measurement standards associated with the
16 demonstration of savings. The department shall verify the
17 demonstrated savings reported by the entity were achieved in
18 accordance with the agreed upon measurement standards. The
19 entity shall be prohibited from using the entity's employees to
20 provide the medication therapy management services and shall
21 instead be required to contract with licensed pharmacies,
22 pharmacists, or physicians.

23 c. The department may establish an advisory committee
24 comprised of an equal number of physicians and pharmacists
25 to provide advice and oversight in evaluating the results of
26 the program. The department shall appoint the members of the
27 advisory committee based upon designees of the Iowa pharmacy
28 association, the Iowa medical society, and the Iowa osteopathic
29 medical association.

30 d. The fees for pharmacist-delivered medication therapy
31 management services shall be separate from the reimbursement
32 for prescription drug product or dispensing services; shall
33 be determined by each third-party payment provider contract,
34 policy, or plan; and must be reasonable based on the resources
35 and time required to provide the service.

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1 e. A fee shall be established for physician reimbursement
2 for services delivered for medication therapy management as
3 determined by each third-party payment provider contract,
4 policy, or plan, and must be reasonable based on the resources
5 and time required to provide the service.

6 f. If any part of the medication therapy management
7 plan developed by a pharmacist incorporates services which
8 are outside the pharmacist's independent scope of practice
9 including the initiation of therapy, modification of dosages,
10 therapeutic interchange, or changes in drug therapy, the
11 express authorization of the individual's physician or other
12 appropriate prescriber is required.

13 Sec. 6. EFFECTIVE UPON ENACTMENT. This division of this
14 Act, being deemed of immediate importance, takes effect upon
15 enactment.

16 DIVISION IV

17 STATE PHYSICAL RESOURCES

18 Sec. 7. STATE EMPLOYEE WORK ENVIRONMENT ANALYSIS
19 AND REPORT. By September 30, 2012, the department of
20 administrative services shall conduct a high level needs
21 analysis of state employee work stations and office standards,
22 assessing adequate square footage needs, and creating healthy,
23 productive, and efficient work environments in an economical
24 manner. Overall objectives of the analysis shall include
25 improving employee density; properly allocating space for
26 individual and group work; improving worker health and
27 safety; improving technology integration; and improving energy
28 efficiency and sustainability in state offices. The department
29 shall submit findings and recommendations to the capitol
30 planning commission and to the legislative fiscal committee by
31 October 30, 2012.

32 DIVISION V

33 AUDITS

34 Sec. 8. Section 11.6, subsection 10, Code Supplement 2011,
35 is amended to read as follows:

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1 10. The auditor of state shall adopt rules in accordance
2 with chapter 17A to establish and collect a filing fee for
3 the filing of each report of audit or examination conducted
4 pursuant to ~~subsections 1 through 3~~ subsection 1, paragraphs "a"
5 and "c", subsection 2, and subsection 3. The funds collected
6 shall be maintained in a segregated account for use by the
7 office of the auditor of state in performing audits conducted
8 pursuant to subsection 4 and for work paper reviews conducted
9 pursuant to subsection 5. Any funds collected by the auditor
10 pursuant to subsection 4 shall be deposited in this account.
11 Notwithstanding section 8.33, the funds in this account shall
12 not revert at the end of any fiscal year.

13 Sec. 9. Section 182.18, subsection 1, Code 2011, is amended
14 to read as follows:

15 1. Moneys collected under this chapter are subject to audit
16 by the auditor of state and shall be used by the Iowa sheep and
17 wool promotion board first for the payment of collection and
18 refund expenses, second for payment of the costs and expenses
19 arising in connection with conducting referendums, and third
20 for the purposes identified in section 182.11, and fourth for
21 ~~the cost of audits for the auditor of state.~~ Moneys of the
22 board remaining after a referendum is held at which a majority
23 of the voters favor termination of the board and the assessment
24 shall continue to be expended in accordance with this chapter
25 until exhausted. ~~The auditor of state may seek reimbursement~~
26 ~~for the cost of the audit.~~

27 Sec. 10. Section 184.14, subsection 2, Code 2011, is amended
28 to read as follows:

29 2. Moneys collected, deposited in the fund, and transferred
30 to the council as provided in this chapter are subject to
31 audit by the auditor of state. ~~The auditor of state may~~
32 ~~seek reimbursement for the cost of the audit.~~ The moneys
33 transferred to the council shall be used by the council first
34 for the payment of collection expenses, second for payment of
35 the costs and expenses arising in connection with conducting

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1 referendums, and third to perform the functions and carry out
2 the duties of the council as provided in this chapter, ~~and~~
3 ~~fourth for the cost of audits by the auditor of state.~~ Moneys
4 remaining after the council is abolished and the imposition of
5 an assessment is terminated pursuant to a referendum conducted
6 pursuant to section 184.5 shall continue to be expended in
7 accordance with this chapter until exhausted.

8 Sec. 11. Section 184A.6, subsection 2, Code 2011, is amended
9 to read as follows:

10 2. The council shall expend moneys from the account first
11 for the payment of expenses for the collection of assessments,
12 ~~second and then~~ for the payment of expenses related to
13 conducting a referendum as provided in section 184A.12,
14 ~~and third for the cost of audits by the auditor of state as~~
15 ~~required in section 184A.9.~~ The council shall expend remaining
16 moneys for market development, producer education, and the
17 payment of refunds to producers as provided in this chapter.

18 Sec. 12. Section 184A.9, Code 2011, is amended to read as
19 follows:

20 **184A.9 Audit.**

21 Moneys required to be deposited in the turkey council
22 account as provided in section 184A.4 shall be subject to
23 audit by the auditor of state. ~~The auditor of state may seek~~
24 ~~reimbursement for the cost of the audit from moneys deposited~~
25 ~~in the turkey council account.~~

26 Sec. 13. Section 185C.26, Code 2011, is amended to read as
27 follows:

28 **185C.26 Deposit of moneys — corn promotion fund.**

29 A state assessment collected by the board from a sale of corn
30 shall be deposited in the office of the treasurer of state in
31 a special fund known as the corn promotion fund. The fund may
32 include any gifts, rents, royalties, interest, license fees,
33 or a federal or state grant received by the board. Moneys
34 collected, deposited in the fund, and transferred to the board
35 as provided in this chapter shall be subject to audit by the

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1 auditor of state. ~~The auditor of state may seek reimbursement~~
2 ~~for the cost of the audit from moneys deposited in the fund as~~
3 ~~provided in this chapter.~~ The department of administrative
4 services shall transfer moneys from the fund to the board
5 for deposit into an account established by the board in a
6 qualified financial institution. The department shall transfer
7 the moneys as provided in a resolution adopted by the board.
8 However, the department is only required to transfer moneys
9 once during each day and only during hours when the offices of
10 the state are open. From moneys collected, the board shall
11 first pay all the direct and indirect costs incurred by the
12 secretary and the costs of referendums, elections, and other
13 expenses incurred in the administration of this chapter, before
14 moneys may be expended for the purpose of carrying out the
15 purposes of this chapter as provided in section 185C.11.
16 Sec. 14. EFFECTIVE UPON ENACTMENT. This division of this
17 Act, being deemed of immediate importance, takes effect upon
18 enactment.

19 DIVISION VI

20 HOMELAND SECURITY AND EMERGENCY MANAGEMENT ORGANIZATION

21 Sec. 15. Section 7E.5, subsection 1, paragraph p, Code
22 Supplement 2011, is amended to read as follows:

23 *p.* The department of public defense, created in section
24 29.1, which has primary responsibility for state military
25 forces ~~and emergency management.~~

26 Sec. 16. Section 7E.5, subsection 1, Code Supplement 2011,
27 is amended by adding the following new paragraph:

28 NEW PARAGRAPH. *w.* The department of homeland security
29 and emergency management, created in section 29C.5, which has
30 primary responsibility for the administration of emergency
31 planning matters, including emergency resource planning in
32 this state, homeland security activities, and coordination of
33 available services and resources in the event of a disaster to
34 include those services and resources of the federal government
35 and private entities.

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1 Sec. 17. Section 8A.202, subsection 5, paragraph e, Code
2 2011, is amended to read as follows:

3 e. (1) The department of public defense, ~~including both~~
4 ~~the military division and the homeland security and emergency~~
5 ~~management division,~~ shall not be required to obtain any
6 information technology services pursuant to this subchapter
7 for the department of public defense ~~or its divisions~~ that is
8 provided by the department pursuant to this chapter without the
9 consent of the adjutant general.

10 (2) The department of homeland security and emergency
11 management shall not be required to obtain any information
12 technology services pursuant to this subchapter for the
13 department of homeland security and emergency management that
14 is provided by the department pursuant to this chapter without
15 the consent of the director of the department of homeland
16 security and emergency management.

17 Sec. 18. Section 8D.2, subsection 5, paragraph b, Code
18 Supplement 2011, is amended to read as follows:

19 b. For the purposes of this chapter, "*public agency*" also
20 includes any homeland security or defense facility or disaster
21 response agency established by the ~~administrator~~ director of
22 the department of homeland security and emergency management
23 ~~division of the department of public defense~~ or the governor
24 or any facility connected with a security or defense system or
25 disaster response as required by the ~~administrator~~ director of
26 the department of homeland security and emergency management
27 ~~division of the department of public defense~~ or the governor.

28 Sec. 19. Section 8D.9, subsection 3, Code Supplement 2011,
29 is amended to read as follows:

30 3. A facility that is considered a public agency pursuant
31 to section 8D.2, subsection 5, paragraph "b", shall be
32 authorized to access the Iowa communications network strictly
33 for homeland security communication purposes and disaster
34 communication purposes. Any utilization of the network that
35 is not related to communications concerning homeland security

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1 or a disaster, as defined in section 29C.2, is expressly
2 prohibited. Access under this subsection shall be available
3 only if a state of disaster emergency is proclaimed by the
4 governor pursuant to section 29C.6 or a homeland security
5 or disaster event occurs requiring connection of disparate
6 communications systems between public agencies to provide
7 for a multiagency or multijurisdictional response. Access
8 shall continue only for the period of time the homeland
9 security or disaster event exists. For purposes of this
10 subsection, disaster communication purposes includes training
11 and exercising for a disaster if public notice of the training
12 and exercising session is posted on the website internet site
13 of the department of homeland security and emergency management
14 ~~division of the department of public defense~~. A scheduled and
15 noticed training and exercising session shall not exceed five
16 days. Interpretation and application of the provisions of this
17 subsection shall be strictly construed.

18 Sec. 20. Section 16.191, subsection 2, paragraph e, Code
19 Supplement 2011, is amended to read as follows:

20 e. The ~~administrator~~ director of the department of homeland
21 security and emergency management ~~division of the department of~~
22 ~~public defense~~ or the ~~administrator's~~ director's designee.

23 Sec. 21. Section 22.7, subsection 45, Code Supplement 2011,
24 is amended to read as follows:

25 45. The critical asset protection plan or any part of the
26 plan prepared pursuant to section 29C.8 and any information
27 held by the department of homeland security and emergency
28 management ~~division~~ that was supplied to the ~~division~~
29 department by a public or private agency or organization and
30 used in the development of the critical asset protection plan
31 to include, but not be limited to, surveys, lists, maps, or
32 photographs. However, the ~~administrator~~ director shall make
33 the list of assets available for examination by any person.
34 A person wishing to examine the list of assets shall make
35 a written request to the ~~administrator~~ director on a form

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1 approved by the ~~administrator~~ director. The list of assets may
2 be viewed at the ~~division's~~ department's offices during normal
3 working hours. The list of assets shall not be copied in any
4 manner. Communications and asset information not required by
5 law, rule, or procedure that are provided to the ~~administrator~~
6 director by persons outside of government and for which the
7 ~~administrator~~ director has signed a nondisclosure agreement are
8 exempt from public disclosures. The department of homeland
9 security and emergency management ~~division~~ may provide all or
10 part of the critical asset plan to federal, state, or local
11 governmental agencies which have emergency planning or response
12 functions if the ~~administrator~~ director is satisfied that
13 the need to know and intended use are reasonable. An agency
14 receiving critical asset protection plan information from the
15 ~~division~~ department shall not redisseminate the information
16 without prior approval of the ~~administrator~~ director.

17 Sec. 22. Section 23A.2, subsection 10, paragraph m, Code
18 2011, is amended to read as follows:

19 *m.* The repair, calibration, or maintenance of radiological
20 detection equipment by the department of homeland security
21 and emergency management ~~division of the department of public~~
22 ~~defense.~~

23 Sec. 23. Section 29.1, Code 2011, is amended to read as
24 follows:

25 **29.1 Department of public defense.**

26 The department of public defense is composed of the ~~military~~
27 ~~division and the homeland security and emergency management~~
28 division office of the adjutant general and the military forces
29 of the state of Iowa. The adjutant general is the director of
30 the department of public defense and ~~the budget and personnel~~
31 ~~of all of the divisions are subject to the approval of the~~
32 adjutant general shall perform all functions, responsibilities,
33 powers, and duties over the military forces of the state of
34 Iowa as provided in the laws of the state. ~~The Iowa emergency~~
35 ~~response commission established by section 30.2 is attached to~~

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1 ~~the department of public defense for organizational purposes.~~

2 Sec. 24. Section 29.2A, Code 2011, is amended to read as
3 follows:

4 **29.2A Airport fire fighters — maximum age.**

5 The maximum age for a person to be employed as an airport
6 fire fighter by the ~~military division of the~~ department of
7 public defense is sixty-five years of age.

8 Sec. 25. Section 29A.3A, subsection 4, paragraph a, Code
9 2011, is amended to read as follows:

10 a. Operations and administration of the civil air patrol
11 relating to missions not qualifying for federal mission status
12 shall be funded by the state from moneys appropriated to the
13 department of homeland security and emergency management
14 ~~division of the department of public defense~~ for that purpose.

15 Sec. 26. Section 29A.12, subsection 1, Code 2011, is amended
16 to read as follows:

17 1. The adjutant general shall have command and control of
18 the ~~military division~~ department of public defense, and perform
19 such duties as pertain to the office of the adjutant general
20 under law and regulations, pursuant to the authority vested in
21 the adjutant general by the governor. The adjutant general
22 shall superintend the preparation of all letters and reports
23 required by the United States from the state, and perform all
24 the duties prescribed by law. The adjutant general shall
25 have charge of the state military reservations, and all other
26 property of the state kept or used for military purposes. The
27 adjutant general may accept and expend nonappropriated funds
28 in accordance with law and regulations. The adjutant general
29 shall cause an inventory to be taken at least once each year
30 of all military stores, property, and funds under the adjutant
31 general's jurisdiction. In each year preceding a regular
32 session of the general assembly, the adjutant general shall
33 prepare a detailed report of the transactions of that office,
34 its expenses, and other matters required by the governor for
35 the period since the last preceding report, and the governor

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1 may at any time require a similar report.

2 Sec. 27. Section 29A.56, Code 2011, is amended to read as
3 follows:

4 **29A.56 Special police.**

5 The adjutant general may by order entered of record
6 commission one or more of the employees of the ~~military~~
7 ~~division~~ department of public defense as special police. Such
8 special police shall on the premises of any state military
9 reservation or other state military property have and exercise
10 the powers of regular peace officers.

11 Sec. 28. Section 29C.1, subsection 1, Code 2011, is amended
12 to read as follows:

13 1. To establish a department of homeland security
14 and emergency management ~~division of the department of~~
15 ~~public defense~~ and to authorize the establishment of local
16 organizations for emergency management in the political
17 subdivisions of the state.

18 Sec. 29. Section 29C.2, Code Supplement 2011, is amended by
19 adding the following new subsections:

20 NEW SUBSECTION. 1A. "*Department*" means the department of
21 homeland security and emergency management.

22 NEW SUBSECTION. 1B. "*Director*" means the director of the
23 department of homeland security and emergency management.

24 Sec. 30. Section 29C.5, Code 2011, is amended to read as
25 follows:

26 **29C.5 Homeland Department of homeland security and emergency**
27 **management division.**

28 A The department of homeland security and emergency
29 management ~~division~~ is created ~~within the department of public~~
30 ~~defense.~~ The department of homeland security and emergency
31 management ~~division~~ shall be responsible for the administration
32 of emergency planning matters, including emergency resource
33 planning in this state, cooperation with, support of, funding
34 for, and tasking of the civil air patrol for missions not
35 qualifying for federal mission status as described in section

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1 29A.3A in accordance with operational and funding criteria
2 developed with the adjutant general and coordinated with
3 the civil air patrol, homeland security activities, and
4 coordination of available services and resources in the event
5 of a disaster to include those services and resources of the
6 federal government and private entities. The Iowa emergency
7 response commission established by section 30.2 is attached to
8 the department of homeland security and emergency management
9 for organizational purposes.

10 Sec. 31. Section 29C.8, Code Supplement 2011, is amended to
11 read as follows:

12 **29C.8 Powers and duties of ~~administrator~~ director.**

13 1. The department of homeland security and emergency
14 management ~~division~~ shall be under the management of ~~an~~
15 ~~administrator~~ a director appointed by the governor.

16 2. The ~~administrator~~ director shall be vested with the
17 authority to administer emergency management and homeland
18 security affairs in this state and shall be responsible for
19 preparing and executing the emergency management and homeland
20 security programs of this state subject to the direction of the
21 ~~adjutant general~~ governor. In the event of a disaster beyond
22 local control, the director may assume direct operational
23 control over all or any part of the emergency management
24 functions within this state.

25 3. The ~~administrator~~ director, upon the direction of
26 the governor ~~and supervisory control of the director of the~~
27 ~~department of public defense~~, shall:

28 a. Prepare a comprehensive emergency plan and emergency
29 management program for homeland security, disaster
30 preparedness, response, recovery, mitigation, emergency
31 operation, and emergency resource management of this state.
32 The plan and program shall be integrated into and coordinated
33 with the homeland security and emergency plans of the federal
34 government and of other states to the fullest possible extent
35 ~~and.~~ The director shall also coordinate the preparation of

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1 plans and programs for emergency management of the political
2 subdivisions and various state departments of this state.
3 The plans shall be integrated into and coordinated with a
4 comprehensive state homeland security and emergency program for
5 this state as coordinated by the ~~administrator of the homeland~~
6 ~~security and emergency management division~~ director to the
7 fullest possible extent.

8 *b.* Make such studies and surveys of the industries,
9 resources, and facilities in this state as may be necessary to
10 ascertain the vulnerabilities of critical state infrastructure
11 and assets to attack and the capabilities of the state for
12 disaster recovery, disaster planning and operations, and
13 emergency resource management, and to plan for the most
14 efficient emergency use thereof.

15 *c.* Provide technical assistance to any commission requiring
16 the assistance in the development of an emergency management
17 or homeland security program.

18 *d.* Implement planning and training for emergency response
19 teams as mandated by the federal government under the
20 Comprehensive Environmental Response, Compensation, and
21 Liability Act of 1980 as amended by the Superfund Amendments
22 and Reauthorization Act of 1986, 42 U.S.C. § 9601 et seq.

23 *e.* Prepare a critical asset protection plan that contains
24 an inventory of infrastructure, facilities, systems, other
25 critical assets, and symbolic landmarks; an assessment of the
26 criticality, vulnerability, and level of threat to the assets;
27 and information pertaining to the mobilization, deployment, and
28 tactical operations involved in responding to or protecting the
29 assets.

30 *f.* Approve and support the development and ongoing
31 operations of homeland security and emergency response teams to
32 be deployed as a resource to supplement and enhance disrupted
33 or overburdened local emergency and disaster operations and
34 deployed as available to provide assistance to other states
35 pursuant to the interstate emergency management assistance

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1 compact described in section 29C.21. The following shall apply
2 to homeland security and emergency response teams:

3 (1) A member of a homeland security and emergency response
4 team acting under this section upon the directive of the
5 ~~administrator~~ director or pursuant to a governor's disaster
6 proclamation as provided in section 29C.6 shall be considered
7 an employee of the state for purposes of section 29C.21 and
8 chapter 669 and shall be afforded protection as an employee
9 of the state under section 669.21. Disability, workers'
10 compensation, and death benefits for team members working
11 under the authority of the ~~administrator~~ director or pursuant
12 to the provisions of section 29C.6 shall be paid by the
13 state in a manner consistent with the provisions of chapter
14 85, 410, or 411 as appropriate, depending on the status of
15 the member, provided that the member is registered with the
16 ~~homeland security and emergency management division~~ department
17 as a member of an approved team and is participating as a
18 team member in a response or recovery operation initiated
19 by the ~~administrator~~ director or governor pursuant to this
20 section or in a training or exercise activity approved by the
21 ~~administrator~~ director.

22 (2) Each approved homeland security and emergency
23 management response team shall establish standards for team
24 membership, shall provide the division with a listing of all
25 team members, and shall update the list each time a member is
26 removed from or added to the team. Individuals so identified
27 as team members shall be considered to be registered as team
28 members for purposes of subparagraph (1).

29 (3) Upon notification of a compensable loss to a member of
30 a homeland security and emergency management response team, the
31 department of administrative services shall process the claim
32 and seek authorization from the executive council to pay as an
33 expense paid from the appropriations addressed in section 7D.29
34 those costs associated with covered benefits.

35 g. Implement and support the national incident management

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1 system as established by the United States department of
2 homeland security to be used by state agencies and local and
3 tribal governments to facilitate efficient and effective
4 assistance to those affected by emergencies and disasters.
5 4. The ~~administrator~~ director, with the approval of the
6 governor ~~and upon recommendation of the adjutant general~~, may
7 employ a deputy ~~administrator~~ director and such technical,
8 clerical, stenographic, and other personnel and make such
9 expenditures within the appropriation or from other funds made
10 available to the department ~~of public defense for purposes of~~
11 ~~emergency management~~, as may be necessary to administer this
12 chapter.

13 5. The ~~homeland security and emergency management division~~
14 department may charge fees for the repair, calibration, or
15 maintenance of radiological detection equipment and may expend
16 funds in addition to funds budgeted for the servicing of the
17 radiological detection equipment. The ~~division~~ department
18 shall adopt rules pursuant to chapter 17A providing for the
19 establishment and collection of fees for radiological detection
20 equipment repair, calibration, or maintenance services and
21 for entering into agreements with other public and private
22 entities to provide the services. Fees collected for repair,
23 calibration, or maintenance services shall be treated as
24 repayment receipts as defined in section 8.2 and shall be used
25 for the operation of the ~~division's~~ department's radiological
26 maintenance facility or radiation incident response training.

27 Sec. 32. Section 29C.8A, subsection 2, Code Supplement
28 2011, is amended to read as follows:

29 2. The emergency response fund shall be administered by the
30 ~~homeland security and emergency management division~~ department
31 to carry out planning and training for the emergency response
32 teams.

33 Sec. 33. Section 29C.9, subsections 1, 5, 7, 8, and 10, Code
34 Supplement 2011, are amended to read as follows:

35 1. The county boards of supervisors, city councils, and

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1 the sheriff in each county shall cooperate with the ~~homeland~~
2 ~~security and emergency management division of the department of~~
3 ~~public defense~~ department to establish a commission to carry
4 out the provisions of this chapter.

5 5. The commission shall model its bylaws and conduct its
6 business according to the guidelines provided in the ~~state~~
7 ~~division's~~ department's administrative rules.

8 7. The commission shall delegate to the emergency
9 management coordinator the authority to fulfill the
10 commission duties as described in the ~~division's~~ department's
11 administrative rules. Each commission shall appoint a
12 local emergency management coordinator who shall meet the
13 qualifications specified in the administrative rules by the
14 ~~administrator of the homeland security and emergency management~~
15 ~~division~~ director. Additional emergency management personnel
16 may be appointed at the discretion of the commission.

17 8. The commission shall develop, adopt, and submit
18 for approval by local governments within the commission's
19 jurisdiction, a comprehensive emergency plan which meets
20 standards adopted by the ~~division~~ department in accordance
21 with chapter 17A. If an approved comprehensive emergency
22 plan has not been prepared according to established standards
23 and the ~~administrator of the homeland security and emergency~~
24 ~~management division~~ director finds that satisfactory progress
25 is not being made toward the completion of the plan, or if
26 the ~~administrator~~ director finds that a commission has failed
27 to appoint a qualified emergency management coordinator as
28 provided in this chapter, the ~~administrator~~ director shall
29 notify the governing bodies of the counties and cities affected
30 by the failure and the governing bodies shall not appropriate
31 any moneys to the local emergency management fund until the
32 comprehensive emergency plan is prepared and approved or a
33 qualified emergency management coordinator is appointed.
34 If the ~~administrator~~ director finds that a commission has
35 appointed an unqualified emergency management coordinator,

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1 the ~~administrator~~ director shall notify the commission citing
2 the qualifications which are not met and the commission shall
3 not approve the payment of the salary or expenses of the
4 unqualified emergency management coordinator.

5 10. Two or more commissions may, upon review by the
6 ~~state administrator~~ director and with the approval of their
7 respective boards of supervisors and cities, enter into
8 agreements pursuant to chapter 28E for the joint coordination
9 and administration of emergency management services throughout
10 the multicounty area.

11 Sec. 34. Section 29C.11, subsection 1, Code Supplement
12 2011, is amended to read as follows:

13 1. The local emergency management commission shall, in
14 collaboration with other public and private agencies within
15 this state, develop mutual aid arrangements for reciprocal
16 disaster services and recovery aid and assistance in case
17 of disaster too great to be dealt with unassisted. The
18 arrangements shall be consistent with the ~~homeland security and~~
19 ~~emergency management division~~ department plan and program, and
20 in time of emergency each local emergency management agency
21 shall render assistance in accordance with the provisions of
22 the mutual aid arrangements.

23 Sec. 35. Section 29C.12, Code 2011, is amended to read as
24 follows:

25 **29C.12 Use of existing facilities.**

26 In carrying out the provisions of this chapter, the
27 governor, ~~and the director of the department of public defense,~~
28 and the executive officers or governing boards of political
29 subdivisions of the state shall utilize, to the maximum extent
30 practicable, the services, equipment, supplies, and facilities
31 of existing departments, officers, and agencies of the state
32 and of political subdivisions at their respective levels of
33 responsibility.

34 Sec. 36. Section 29C.12A, Code 2011, is amended to read as
35 follows:

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1 **29C.12A Participation in funding disaster recovery facility.**

2 All state government departments and agencies may
3 participate in sharing the cost of the design, construction,
4 and operation of a disaster recovery facility located in the
5 STARC joint forces headquarters armory at Camp Dodge. State
6 departments and agencies may use funds from any source,
7 including but not limited to user fees and appropriations
8 for operational or capital purposes, to participate in the
9 facility.

10 Sec. 37. Section 29C.14, Code 2011, is amended to read as
11 follows:

12 **29C.14 Director of the department of administrative services**
13 **to issue warrants.**

14 The director of the department of administrative services
15 shall draw warrants on the treasurer of state for the purposes
16 specified in this chapter, upon duly itemized and verified
17 vouchers that have been approved by the ~~administrator~~ director
18 of the department of homeland security and emergency management
19 ~~division~~.

20 Sec. 38. Section 29C.18, subsection 1, Code 2011, is amended
21 to read as follows:

22 1. Every organization for homeland security and emergency
23 management established pursuant to this chapter and its
24 officers shall execute and enforce the orders or rules made by
25 the governor, or under the governor's authority and the orders
26 or rules made by subordinate organizations and not contrary or
27 inconsistent with the orders or rules of the governor.

28 Sec. 39. Section 29C.20B, Code Supplement 2011, is amended
29 to read as follows:

30 **29C.20B Disaster case management.**

31 1. The department of homeland security and emergency
32 management ~~division~~ shall work with the department of
33 human services and nonprofit, voluntary, and faith-based
34 organizations active in disaster recovery and response in
35 coordination with the department of human services to establish

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1 a statewide system of disaster case management to be activated
2 following the governor's proclamation of a disaster emergency
3 or the declaration of a major disaster by the president of
4 the United States for individual assistance purposes. Under
5 the system, the department of homeland security and emergency
6 management ~~division~~ shall coordinate case management services
7 locally through local committees as established in each
8 commission's emergency plan.

9 2. The department of homeland security and emergency
10 management ~~division~~, in conjunction with the department of
11 human services and an Iowa representative to the national
12 voluntary organizations active in disaster, shall adopt rules
13 pursuant to chapter 17A to create coordination mechanisms
14 and standards for the establishment and implementation of
15 a statewide system of disaster case management which shall
16 include at least all of the following:

- 17 a. Disaster case management standards.
- 18 b. Disaster case management policies.
- 19 c. Reporting requirements.
- 20 d. Eligibility criteria.
- 21 e. Coordination mechanisms necessary to carry out the
22 services provided.
- 23 f. Development of formal working relationships with
24 agencies and creation of interagency agreements for those
25 considered to provide disaster case management services.
- 26 g. Coordination of all available services for individuals
27 from multiple agencies.

28 Sec. 40. Section 29C.22, subsection 3, paragraph c, Code
29 Supplement 2011, is amended to read as follows:

30 c. The authorized representative of a participating
31 government may initiate a request by contacting the department
32 of homeland security and emergency management ~~division of the~~
33 ~~state department of public defense~~. When a request is received
34 by the ~~division~~ department, the ~~division~~ department shall
35 directly contact other participating governments to coordinate

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1 the provision of mutual aid.

2 Sec. 41. Section 29C.22, subsection 11, paragraphs b and c,
3 Code Supplement 2011, are amended to read as follows:

4 b. Any participating government may withdraw from this
5 compact by adopting an ordinance or resolution repealing the
6 same, but a withdrawal shall not take effect until thirty days
7 after the governing body of the withdrawing participating
8 government has given notice in writing of the withdrawal to the
9 ~~administrator~~ director of the department of homeland security
10 and emergency management ~~division~~ who shall notify all other
11 participating governments. The action shall not relieve the
12 withdrawing political subdivision from obligations assumed
13 under this compact prior to the effective date of withdrawal.

14 c. Duly authenticated copies of this compact and any
15 supplementary agreements as may be entered into shall
16 be deposited, at the time of their approval, with the
17 ~~administrator~~ director of the department of homeland security
18 and emergency management ~~division~~ who shall notify all
19 participating governments and other appropriate agencies of
20 state government.

21 Sec. 42. Section 30.2, subsections 1 and 2, Code Supplement
22 2011, are amended to read as follows:

23 1. The Iowa emergency response commission is established.
24 The commission is responsible directly to the governor. The
25 commission is attached to the department of ~~public defense~~
26 homeland security and emergency management for routine
27 administrative and support services only.

28 2. a. The commission is composed of ~~fifteen~~ sixteen members
29 appointed by the governor. One member shall be appointed to
30 represent the department of homeland security and emergency
31 management, one to represent the department of agriculture and
32 land stewardship, one to represent the department of workforce
33 development, one to represent the department of justice, one to
34 represent the department of natural resources, one to represent
35 the department of public defense, one to represent the Iowa

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1 department of public health, one to represent the department
2 of public safety, one to represent the state department of
3 transportation, one to represent the state fire service and
4 emergency response council, one to represent a local emergency
5 planning committee, one to represent the Iowa hazardous
6 materials task force, and one to represent the office of the
7 governor. Three representatives from private industry shall
8 also be appointed by the governor, subject to confirmation by
9 the senate.

10 **b.** The commission members representing the departments
11 of homeland security and emergency management, workforce
12 development, natural resources, public defense, public safety,
13 and transportation, a local emergency planning committee,
14 and one private industry representative designated by the
15 commission shall be voting members of the commission. The
16 remaining members of the commission shall serve as nonvoting,
17 advisory members.

18 Sec. 43. Section 30.5, subsection 2, Code 2011, is amended
19 to read as follows:

20 2. The commission may enter into agreements pursuant to
21 chapter 28E to accomplish any duty imposed upon the commission
22 by the Emergency Planning and Community Right-to-know Act,
23 but the commission shall not compensate any governmental unit
24 for the performance of duties pursuant to such an agreement.
25 Funding for administering the duties of the commission under
26 sections 30.7, 30.8, and 30.9 shall be included in the budgets
27 of the department of natural resources and the department of
28 public defense homeland security and emergency management.

29 Sec. 44. Section 30.9, Code Supplement 2011, is amended to
30 read as follows:

31 **30.9 Duties to be allocated to department of ~~public defense~~**
32 **homeland security and emergency management.**

33 Agreements negotiated by the commission and the department
34 of ~~public defense~~ homeland security and emergency management
35 shall provide for the allocation of duties to the department

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1 of ~~public defense~~ homeland security and emergency management
2 as follows:

3 1. Comprehensive emergency plans required to be developed
4 under section 303 of the Emergency Planning and Community
5 ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C. § 11003, shall
6 be submitted to the department of ~~public defense~~ homeland
7 security and emergency management. Committee submission to
8 that department constitutes compliance with the requirement for
9 reporting to the commission. After initial submission, a plan
10 need not be resubmitted unless revisions are requested by the
11 commission. The department of ~~public defense~~ homeland security
12 and emergency management shall review the plan on behalf of the
13 commission and shall incorporate the provisions of the plan
14 into its responsibilities under chapter 29C.

15 2. The department of ~~public defense~~ homeland security and
16 emergency management shall advise the commission of the failure
17 of any committee to submit an initial comprehensive emergency
18 response and recovery plan or a revised plan requested by the
19 commission.

20 3. The department of ~~public defense~~ homeland security and
21 emergency management shall make available to the public upon
22 request during normal working hours the information in its
23 possession pursuant to section 324 of the Emergency Planning
24 and Community ~~Right-to-Know~~ Right-to-know Act, 42 U.S.C.
25 § 11044.

26 Sec. 45. Section 34A.2, subsection 2, Code 2011, is amended
27 to read as follows:

28 2- 3A. ~~"Administrator"~~ "Director" means the ~~administrator~~
29 director of the department of homeland security and emergency
30 management ~~division of the department of public defense~~.

31 Sec. 46. Section 34A.2A, Code 2011, is amended to read as
32 follows:

33 **34A.2A Program manager — appointment — duties.**

34 1. The ~~administrator~~ director of the department of homeland
35 security and emergency management ~~division of the department~~

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1 ~~of public defense~~ shall appoint an E911 program manager to
2 administer this chapter.

3 2. The E911 program manager shall act under the supervisory
4 control of the ~~administrator~~ director of the department of
5 homeland security and emergency management ~~division of the~~
6 ~~department of public defense~~, and in consultation with the
7 E911 communications council, and shall perform the duties
8 specifically set forth in this chapter and as assigned by the
9 ~~administrator~~ director.

10 Sec. 47. Section 34A.6, subsection 3, Code 2011, is amended
11 to read as follows:

12 3. The secretary of state, in consultation with the
13 ~~administrator~~ director, shall adopt rules for the conduct of
14 joint E911 service referendums as required by and consistent
15 with subsections 1 and 2.

16 Sec. 48. Section 34A.7A, subsection 1, paragraph a, Code
17 2011, is amended to read as follows:

18 a. Notwithstanding section 34A.6, the ~~administrator~~ director
19 shall adopt by rule a monthly surcharge of up to sixty-five
20 cents to be imposed on each wireless communications service
21 number provided in this state. The surcharge shall be imposed
22 uniformly on a statewide basis and simultaneously on all
23 wireless communications service numbers as provided by rule of
24 the ~~administrator~~ director.

25 Sec. 49. Section 34A.7A, subsection 2, paragraphs a and h,
26 Code 2011, are amended to read as follows:

27 a. An amount as appropriated by the general assembly to the
28 ~~administrator~~ director shall be allocated to the ~~administrator~~
29 director and program manager for implementation, support, and
30 maintenance of the functions of the ~~administrator~~ director and
31 program manager and to employ the auditor of state to perform
32 an annual audit of the wireless E911 emergency communications
33 fund.

34 h. The ~~administrator~~ director, in consultation with the
35 program manager and the E911 communications council, shall

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1 adopt rules pursuant to chapter 17A governing the distribution
2 of the surcharge collected and distributed pursuant to this
3 subsection. The rules shall include provisions that all joint
4 E911 service boards and the department of public safety which
5 answer or service wireless E911 calls are eligible to receive
6 an equitable portion of the receipts.

7 Sec. 50. Section 34A.15, subsection 3, Code Supplement
8 2011, is amended to read as follows:

9 3. The council shall advise and make recommendations to
10 the ~~administrator~~ director and program manager regarding
11 the implementation of this chapter. Such advice and
12 recommendations shall be provided on issues at the request of
13 the ~~administrator~~ director or program manager or as deemed
14 necessary by the council.

15 Sec. 51. Section 35A.5, subsection 16, Code Supplement
16 2011, is amended to read as follows:

17 16. In coordination with the ~~military division of the~~
18 department of public defense, advise service members prior to,
19 and after returning from, deployment on active duty service
20 outside the United States of issues related to the filing
21 of tax returns and the payment of taxes due and encourage a
22 service member who has not filed a return or who owes taxes to
23 contact the department of revenue prior to deployment.

24 Sec. 52. Section 80.28, subsection 2, paragraph a,
25 subparagraph (3), Code 2011, is amended to read as follows:

26 (3) One member representing the department of homeland
27 security and emergency management ~~division~~.

28 Sec. 53. Section 80B.11C, Code 2011, is amended to read as
29 follows:

30 **80B.11C Telecommunicator training standards.**

31 The director of the academy, subject to the approval of
32 the council, in consultation with the Iowa state sheriffs'
33 and deputies' association, the Iowa police executive forum,
34 the Iowa association of chiefs of police and peace officers,
35 the Iowa state police association, the Iowa association

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1 of professional fire fighters, the Iowa emergency medical
2 services association, the joint council of Iowa fire service
3 organizations, the Iowa department of public safety, the Iowa
4 chapter of the association of public safety communications
5 officials-international, inc., the Iowa chapter of the
6 national emergency number association, the department of
7 homeland security and emergency management ~~division of the Iowa~~
8 ~~department of public defense~~, and the Iowa department of public
9 health, shall adopt rules pursuant to chapter 17A establishing
10 minimum standards for training of telecommunicators. For
11 purposes of this section, "telecommunicator" means a person who
12 receives requests for, or dispatches requests to, emergency
13 response agencies which include, but are not limited to, law
14 enforcement, fire, rescue, and emergency medical services
15 agencies.

16 Sec. 54. Section 97B.49B, subsection 1, paragraph e,
17 subparagraph (8), Code Supplement 2011, is amended to read as
18 follows:

19 (8) An airport fire fighter employed by the ~~military~~
20 ~~division of the~~ department of public defense.

21 Sec. 55. Section 100B.22, subsection 1, paragraph a, Code
22 2011, is amended to read as follows:

23 a. Regional emergency response training centers shall be
24 established to provide training to fire fighters and other
25 emergency responders. The lead public agency for the training
26 centers shall be the following community colleges for the
27 following merged areas:

28 (1) Northeast Iowa community college for merged area I
29 in partnership with the Dubuque county firemen's association
30 and to provide advanced training in agricultural emergency
31 response as such advanced training is funded by the department
32 of homeland security and emergency management ~~division of the~~
33 ~~department of public defense~~.

34 (2) North Iowa area community college for merged area II in
35 partnership with the Mason City fire department.

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1 (3) Iowa lakes community college for merged area III and
2 northwest Iowa community college for merged area IV.

3 (4) Iowa central community college for merged area V and to
4 provide advanced training in homeland security as such advanced
5 training is funded by the department of homeland security and
6 emergency management ~~division of the department of public~~
7 ~~defense.~~

8 (5) Hawkeye community college for merged area VII in
9 partnership with the Waterloo regional hazardous materials
10 training center and to provide advanced training in hazardous
11 materials emergency response as such advanced training is
12 funded by the department of homeland security and emergency
13 management ~~division of the department of public defense.~~

14 (6) Eastern Iowa community college for merged area IX in
15 partnership with the city of Davenport fire department.

16 (7) Kirkwood community college for merged area X in
17 partnership with the city of Coralville fire department and the
18 Iowa City fire department and to provide advanced training in
19 agricultural terrorism response and mass casualty and fatality
20 response as such advanced training is funded by the department
21 of homeland security and emergency management ~~division of the~~
22 ~~department of public defense.~~

23 (8) Des Moines area community college for merged area XI and
24 Iowa valley community college for merged area VI and to provide
25 advanced training in operations integration in compliance
26 with the national incident management system as such advanced
27 training is funded by the department of homeland security and
28 emergency management ~~division of the department of public~~
29 ~~defense.~~

30 (9) Western Iowa technical community college for merged
31 area XII in partnership with the Sioux City fire department
32 and to provide advanced training in emergency responder
33 communications as such advanced training is funded by the
34 department of homeland security and emergency management
35 ~~division of the department of public defense.~~

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1 (10) Iowa western community college for merged areas XIII
2 and XIV in partnership with southwestern community college and
3 the Council Bluffs fire department.

4 (11) Southeastern Iowa community college for merged areas
5 XV and XVI in partnership with Indian hills community college
6 and the city of Fort Madison fire department.

7 Sec. 56. Section 135.141, subsection 2, paragraphs a and j,
8 Code 2011, are amended to read as follows:

9 a. Coordinate with the department of homeland security
10 and emergency management ~~division of the department of public~~
11 ~~defense~~ the administration of emergency planning matters
12 which involve the public health, including development,
13 administration, and execution of the public health components
14 of the comprehensive emergency plan and emergency management
15 program pursuant to section 29C.8.

16 j. Adopt rules pursuant to chapter 17A for the
17 administration of this division of this chapter including rules
18 adopted in cooperation with the Iowa pharmacy association
19 and the Iowa hospital association for the development of a
20 surveillance system to monitor supplies of drugs, antidotes,
21 and vaccines to assist in detecting a potential public health
22 disaster. Prior to adoption, the rules shall be approved by
23 the state board of health and the ~~administrator~~ director of
24 the department of homeland security and emergency management
25 ~~division of the department of public defense~~.

26 Sec. 57. Section 135.145, subsections 1 and 2, Code 2011,
27 are amended to read as follows:

28 1. When the department of public safety or other federal,
29 state, or local law enforcement agency learns of a case of a
30 disease or health condition, unusual cluster, or a suspicious
31 event that may be the cause of a public health disaster, the
32 department or agency shall immediately notify the department,
33 the ~~administrator~~ director of the department of homeland
34 security and emergency management ~~division of the department~~
35 ~~of public defense~~, the department of agriculture and land

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1 stewardship, and the department of natural resources as
2 appropriate.

3 2. When the department learns of a case of a disease
4 or health condition, an unusual cluster, or a suspicious
5 event that may be the cause of a public health disaster, the
6 department shall immediately notify the department of public
7 safety, the department of homeland security and emergency
8 ~~management division of the department of public defense~~, and
9 other appropriate federal, state, and local agencies and
10 officials.

11 Sec. 58. Section 163.3A, subsection 2, Code Supplement
12 2011, is amended to read as follows:

13 2. The services shall be performed under the direction of
14 the department and may be part of measures authorized by the
15 governor under a declaration or proclamation issued pursuant to
16 chapter 29C. In such case, the department shall cooperate with
17 the Iowa department of public health under chapter 135, and the
18 department of ~~public defense~~, homeland security and emergency
19 management ~~division~~, and local emergency management agencies as
20 provided in chapter 29C.

21 Sec. 59. Section 163.51, subsection 2, paragraph b, Code
22 2011, is amended to read as follows:

23 b. If the department confirms an outbreak of foot and
24 mouth disease in this state, the department shall cooperate
25 with the governor; federal agencies, including the United
26 States department of agriculture; and state agencies, including
27 the department of homeland security and emergency management
28 ~~division of the department of public defense~~, in order to
29 provide the public with timely and accurate information
30 regarding the outbreak. The department shall cooperate with
31 organizations representing agricultural producers in order to
32 provide all necessary information to agricultural producers
33 required to control the outbreak.

34 Sec. 60. Section 305.8, subsection 1, paragraph b, Code
35 2011, is amended to read as follows:

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1 **b.** In consultation with the department of homeland security
2 and emergency management ~~division of the department of public~~
3 ~~defense~~, establish policies, standards, and guidelines for
4 the identification, protection, and preservation of records
5 essential for the continuity or reestablishment of governmental
6 functions in the event of an emergency arising from a natural
7 or other disaster.

8 Sec. 61. Section 455B.266, subsection 1, paragraph d, Code
9 2011, is amended to read as follows:

10 **d.** Determination by the department in conjunction with
11 the department of homeland security and emergency management
12 ~~division of the department of public defense~~ of a local crisis
13 which affects availability of water.

14 Sec. 62. Section 455B.385, Code 2011, is amended to read as
15 follows:

16 **455B.385 State hazardous condition contingency plan.**

17 All public agencies, as defined in chapter 28E, shall
18 cooperate in the development and implementation of a state
19 hazardous condition contingency plan. The plan shall detail
20 the manner in which public agencies shall participate in the
21 response to a hazardous condition. The director may enter
22 into agreements, with approval of the commission, with any
23 state agency or unit of local government or with the federal
24 government, as necessary to develop and implement the plan.
25 The plan shall be coordinated with the department of homeland
26 security and emergency management ~~division of the department~~
27 ~~of public defense~~ and any joint emergency management agencies
28 established pursuant to chapter 29C.

29 Sec. 63. Section 466B.3, subsection 4, paragraph d, Code
30 Supplement 2011, is amended to read as follows:

31 **d.** The ~~administrator~~ director of the department of homeland
32 security and emergency management ~~division of the department of~~
33 ~~public defense~~ or the ~~administrator's~~ director's designee.

34 Sec. 64. REPEAL. Sections 29.2, 29.3, and 29C.7, Code and
35 Code Supplement 2011, are repealed.

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1 Sec. 65. TRANSITION PROVISIONS.

2 1. Any rule, regulation, form, order, or directive
3 promulgated by the division of homeland security and
4 emergency management of the department of public defense shall
5 continue in full force and effect until amended, repealed,
6 or supplemented by affirmative action of the department of
7 homeland security and emergency management as established in
8 this Act.

9 2. All employees of the division of homeland security and
10 emergency management of the department of public defense shall
11 be considered employees of the department of homeland security
12 and emergency management upon the elimination of the former and
13 creation of the latter as provided in this Act.

14 DIVISION VII

15 IOWA JOBS BOARD

16 Sec. 66. Section 12.87, subsection 12, Code Supplement
17 2011, is amended to read as follows:

18 12. Neither the treasurer of state, the Iowa ~~jobs board~~
19 finance authority, nor any person acting on behalf of the
20 treasurer of state or the Iowa ~~jobs board~~ finance authority
21 while acting within the scope of their employment or agency, is
22 subject to personal liability resulting from carrying out the
23 powers and duties conferred by this section and sections 12.88
24 through 12.90.

25 Sec. 67. Section 16.193, subsection 1, Code Supplement
26 2011, is amended to read as follows:

27 ~~1. The Iowa finance authority, subject to approval by the~~
28 ~~Iowa jobs board,~~ shall adopt administrative rules pursuant to
29 chapter 17A necessary to administer the Iowa jobs program and
30 Iowa jobs II program. The authority shall ~~provide the board~~
31 ~~with assistance in implementing administrative functions, be~~
32 responsible for providing technical assistance and application
33 assistance to applicants under the programs, negotiating
34 contracts, and providing project follow up. ~~The authority, in~~
35 ~~cooperation with the board, may conduct negotiations on behalf~~

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1 ~~of the board with applicants regarding terms and conditions~~
2 ~~applicable to awards under the program.~~

3 Sec. 68. Section 16.194, subsection 2, Code 2011, is amended
4 to read as follows:

5 2. A city or county or a public organization in this
6 state may submit an application to the ~~Iowa jobs board~~
7 authority for financial assistance for a local infrastructure
8 competitive grant for an eligible project under the program,
9 notwithstanding any limitation on the state's percentage in
10 funding as contained in section 29C.6, subsection 17.

11 Sec. 69. Section 16.194, subsection 4, unnumbered paragraph
12 1, Code 2011, is amended to read as follows:

13 The ~~board~~ authority shall consider the following criteria in
14 evaluating eligible projects to receive financial assistance
15 under the program:

16 Sec. 70. Section 16.194, subsection 7, Code 2011, is amended
17 to read as follows:

18 7. In order for a project to be eligible to receive
19 financial assistance from the ~~board~~ authority, the project
20 must be a public construction project pursuant to subsection 1
21 with a demonstrated substantial local, regional, or statewide
22 economic impact.

23 Sec. 71. Section 16.194, subsection 8, unnumbered paragraph
24 1, Code 2011, is amended to read as follows:

25 The ~~board~~ authority shall not approve an application for
26 assistance for any of the following purposes:

27 Sec. 72. Section 16.194, subsection 9, paragraph b, Code
28 2011, is amended to read as follows:

29 b. Any portion of an amount allocated for projects
30 that remains unexpended or unencumbered one year after the
31 allocation has been made may be reallocated to another project
32 category, at the discretion of the ~~board~~ authority. The ~~board~~
33 authority shall ensure that all bond proceeds be expended
34 within three years from when the allocation was initially made.

35 Sec. 73. Section 16.194, subsection 10, Code 2011, is

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1 amended to read as follows:

2 10. The ~~board~~ authority shall ensure that funds obligated
3 under this section are coordinated with other federal program
4 funds received by the state, and that projects receiving funds
5 are located in geographically diverse areas of the state.

6 Sec. 74. Section 16.194A, subsections 2, 7, 9, and 10, Code
7 2011, are amended to read as follows:

8 2. A city or county in this state that applies the smart
9 planning principles and guidelines pursuant to sections 18B.1
10 and 18B.2 may submit an application to the ~~Iowa jobs board~~
11 authority for financial assistance for a local infrastructure
12 competitive grant for an eligible project under the program,
13 notwithstanding any limitation on the state's percentage in
14 funding as contained in section 29C.6, subsection 17.

15 7. In order for a project to be eligible to receive
16 financial assistance from the ~~board~~ authority, the project
17 must be a public construction project pursuant to subsection 1
18 with a demonstrated substantial local, regional, or statewide
19 economic impact.

20 9. Any portion of an amount allocated for projects
21 that remains unexpended or unencumbered one year after the
22 allocation has been made may be reallocated to another project
23 category, at the discretion of the ~~board~~ authority. The ~~board~~
24 authority shall ensure that all bond proceeds be expended
25 within three years from when the allocation was initially made.

26 10. The ~~board~~ authority shall ensure that funds obligated
27 under this section are coordinated with other federal program
28 funds received by the state, and that projects receiving funds
29 are located in geographically diverse areas of the state.

30 Sec. 75. Section 16.194A, subsection 4, unnumbered
31 paragraph 1, Code 2011, is amended to read as follows:

32 The ~~board~~ authority shall consider the following criteria in
33 evaluating eligible projects to receive financial assistance
34 under the program:

35 Sec. 76. Section 16.194A, subsection 8, unnumbered

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1 paragraph 1, Code 2011, is amended to read as follows:

2 The ~~board~~ authority shall not approve an application for
3 assistance for any of the following purposes:

4 Sec. 77. Section 16.195, Code Supplement 2011, is amended
5 to read as follows:

6 **16.195 Iowa jobs program application review.**

7 1. Applications for assistance under the Iowa jobs program
8 and Iowa jobs II program shall be submitted to the ~~Iowa finance~~
9 authority for review and approval. ~~The authority shall provide~~
10 ~~a staff review and evaluation of applications to the Iowa jobs~~
11 ~~program review committee referred to in subsection 2 and to the~~
12 ~~Iowa jobs board.~~

13 2. ~~A review committee composed of members of the board~~
14 ~~as determined by the board shall review Iowa jobs program~~
15 ~~applications submitted to the board and make recommendations~~
16 ~~regarding the applications to the board.~~ When reviewing the
17 applications, the ~~review committee and the~~ authority shall
18 consider the project criteria specified in sections 16.194 and
19 16.194A. The ~~board~~ authority shall develop the appropriate
20 level of transparency regarding project fund allocations.

21 3. Upon approval of an application for financial assistance
22 under the program, the ~~board~~ authority shall notify the
23 treasurer of state regarding the amount of moneys needed to
24 satisfy the award of financial assistance and the terms of the
25 award. The treasurer of state shall notify the ~~Iowa finance~~
26 authority any time moneys are disbursed to a recipient of
27 financial assistance under the program.

28 Sec. 78. Section 16.196, Code 2011, is amended to read as
29 follows:

30 **16.196 Iowa jobs ~~restricted capitals fund~~ — appropriations.**

31 ~~1. An Iowa jobs restricted capitals fund is created and~~
32 ~~established as a separate and distinct fund in the state~~
33 ~~treasury. The fund consists of moneys appropriated from~~
34 ~~the revenue bonds capitals fund created in section 12.88.~~
35 ~~The moneys in the fund are appropriated to the Iowa jobs~~

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~~1 board for purposes of the Iowa jobs program established in~~
~~2 section 16.194. Moneys in the fund shall not be subject to~~
~~3 appropriation for any other purpose by the general assembly,~~
~~4 but shall be used only for the purposes of the Iowa jobs~~
~~5 program. The treasurer of state shall act as custodian of the~~
~~6 fund and disburse moneys contained in the fund. The fund shall~~
~~7 be administered by the board which shall make allocations from~~
~~8 the fund consistent with the purposes of the Iowa jobs program.~~
9 ~~2.~~ 1. There is appropriated from the revenue bonds capitals
10 fund created in section 12.88, ~~to the Iowa jobs restricted~~
11 ~~capitals fund,~~ for the fiscal year beginning July 1, 2009, and
12 ending June 30, 2010, one hundred sixty-five million dollars to
13 be allocated as follows:
14 a. One hundred eighteen million five hundred thousand
15 dollars for competitive grants for local infrastructure
16 projects relating to disaster rebuilding, reconstruction
17 and replacement of local buildings, flood control and flood
18 protection, and future flood prevention public projects. An
19 applicant for a local infrastructure grant shall not receive
20 more than fifty million dollars in financial assistance from
21 the fund.
22 b. Forty-six million five hundred thousand dollars for
23 disaster relief and mitigation and local infrastructure
24 grants for the following renovation and construction projects,
25 notwithstanding any limitation on the state's percentage
26 participation in funding as contained in section 29C.6,
27 subsection 17:
28 (1) For grants to a county with a population between
29 one hundred eighty-nine thousand and one hundred ninety-six
30 thousand in the latest preceding certified federal census, to
31 be distributed as follows:
32 (a) Ten million dollars for the construction of a new,
33 shared facility between nonprofit human service organizations
34 serving the public, especially the needs of low-income Iowans,
35 including those displaced as a result of the disaster of 2008.

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1 (b) Five million dollars for the construction or renovation
2 of a facility for a county-funded workshop program serving
3 the public and particularly persons with mental illness or
4 developmental disabilities.

5 (2) For grants to a city with a population between one
6 hundred ten thousand and one hundred twenty thousand in the
7 latest preceding certified federal census, to be distributed
8 as follows:

9 (a) Five million dollars for an economic redevelopment
10 project benefiting the public by improving energy efficiency
11 and the development of alternative and renewable energy
12 technologies.

13 (b) Ten million dollars for a museum serving the public and
14 dedicated to the preservation of an eastern European cultural
15 heritage through the collection, exhibition, preservation, and
16 interpretation of historical artifacts.

17 (c) Five million dollars for a theater serving the public
18 and promoting culture, entertainment, and tourism.

19 (d) Five million dollars for a public library.

20 (e) Five million dollars for a public works building.

21 (3) One million five hundred thousand dollars, to be
22 distributed as follows:

23 (a) Five hundred thousand dollars to a city with a
24 population between six hundred and six hundred fifty in the
25 latest preceding certified federal census, for a public fire
26 station.

27 (b) Five hundred thousand dollars to a city with a
28 population between one thousand four hundred and one thousand
29 five hundred in the latest preceding certified federal census,
30 for a public fire station.

31 (c) Five hundred thousand dollars for a city with a
32 population between seven thousand eight hundred and seven
33 thousand eight hundred fifty, for a public fire station.

34 ~~3-~~ 2. Grant awards for a project under subsection 2,
35 paragraph ~b~, are contingent upon submission of a plan for

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1 each project by the applicable county or city governing board
2 or in the case of a project submitted pursuant to subsection
3 2, paragraph "b", subparagraph (2), subparagraph division (b),
4 by the board of directors, to the ~~Iowa jobs board~~ authority,
5 no later than September 1, 2009, detailing a description of
6 the project, the plan to rebuild, and the amount or percentage
7 of federal, state, local, or private matching moneys which
8 will be or have been provided for the project. Funds not
9 utilized in accordance with subsection 2, paragraph "b", due
10 to failure to file a plan by the September 1 deadline shall
11 revert to the ~~Iowa jobs restricted~~ revenue bonds capitals fund
12 to be available for local infrastructure competitive grants. A
13 grant recipient under subsection 2, paragraph "b", shall not be
14 precluded from applying for a local infrastructure competitive
15 grant pursuant to this section and section 16.195.

16 ~~4. Moneys in the fund are not subject to section 8.33.~~
17 ~~Notwithstanding section 12C.7, subsection 2, interest or~~
18 ~~earnings on moneys in the fund shall be credited to the fund.~~

19 5- 3. Annually, on or before January 15 of each year, the
20 ~~board~~ authority shall report to the legislative services agency
21 and the department of management the status of all projects
22 receiving moneys from the fund completed or in progress. The
23 report shall include a description of the project, the progress
24 of work completed, the total estimated cost of the project, a
25 list of all revenue sources being used to fund the project, the
26 amount of funds expended, the amount of funds obligated, and
27 the date the project was completed or an estimated completion
28 date of the project, where applicable.

29 6- 4. Payment of moneys appropriated from the fund shall be
30 made in a manner that does not adversely affect the tax-exempt
31 status of any outstanding bonds issued by the treasurer of
32 state.

33 Sec. 79. Section 16.197, Code 2011, is amended to read as
34 follows:

35 16.197 Limitation of liability.

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1 ~~A member of the Iowa jobs board, a person acting on behalf of~~
2 ~~the board while acting within the scope of their employment or~~
3 ~~agency, The authority~~ or the treasurer of state, shall not be
4 subject to personal liability resulting from carrying out the
5 powers and duties of the ~~board~~ authority or the treasurer, as
6 applicable, in sections ~~16.192~~ 16.193 through 16.196.

7 Sec. 80. IOWA JOBS BOARD — TRANSITION PROVISIONS —
8 LIMITATION OF LIABILITY.

9 1. Any contract or agreement issued or entered into by the
10 Iowa jobs board relating to the provisions of this division
11 of this Act, in effect on the effective date of this division
12 of this Act, shall continue in full force and effect and
13 any responsibility of the board relative to the contracts or
14 agreements as provided in those contracts or agreements shall
15 be transferred to the Iowa finance authority.

16 2. A member of the Iowa jobs board or a person acting on
17 behalf of the board while acting within the scope of that
18 person's employment or agency shall not be subject to personal
19 liability resulting from carrying out the powers and duties
20 of the board prior to the effective date of this division of
21 this Act, as applicable, in sections 12.87 through 12.90 and in
22 sections 16.192 through 16.196, Code and Code Supplement 2011.

23 Sec. 81. REPEAL. Sections 16.191 and 16.192, Code
24 Supplement 2011, are repealed.

25 DIVISION VIII

26 OFFICE OF DRUG CONTROL POLICY

27 Sec. 82. Section 80.8, subsection 3, paragraph a, Code 2011,
28 is amended to read as follows:

29 a. The salaries of peace officers and employees of the
30 department and the expenses of the department shall be provided
31 for by a legislative appropriation, except the salary of the
32 drug policy coordinator shall be fixed by the governor as
33 provided in section 80E.1. The compensation of peace officers
34 of the department shall be fixed according to grades as to rank
35 and length of service by the commissioner with the approval of

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1 the department of administrative services, unless covered by a
2 collective bargaining agreement that provides otherwise.

3 Sec. 83. Section 80.9, Code 2011, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 10. The department shall receive and review
6 the budget submitted by the drug policy coordinator and assist
7 the drug policy coordinator in directing the office of drug
8 control's policy pursuant to section 80E.1.

9 Sec. 84. Section 80.17, subsection 1, Code 2011, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. g. Office of drug control policy.

12 Sec. 85. Section 80E.1, subsection 1, Code 2011, is amended
13 to read as follows:

14 1. The office of drug control policy is established in the
15 department of public safety. A drug policy coordinator shall
16 be appointed by the governor, subject to confirmation by the
17 senate, and shall serve at the pleasure of the governor. The
18 governor shall fill a vacancy in the office in the same manner
19 as the original appointment was made. The coordinator shall be
20 selected primarily for administrative ability. The coordinator
21 shall not be selected on the basis of political affiliation
22 and shall not engage in political activity while holding the
23 office. The salary of the coordinator shall be fixed by the
24 governor.

25 Sec. 86. Section 80E.1, subsection 2, paragraph a, Code
26 2011, is amended to read as follows:

27 a. Direct the ~~governor's~~ office of drug control policy,
28 and coordinate and monitor all statewide narcotics enforcement
29 efforts, coordinate and monitor all state and federal substance
30 abuse treatment grants and programs, coordinate and monitor all
31 statewide substance abuse prevention and education programs
32 in communities and schools, and engage in such other related
33 activities as required by law. The coordinator shall work in
34 coordinating the efforts of the department of corrections, the
35 department of education, the Iowa department of public health,

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1 ~~the department of public safety,~~ and the department of human
2 services. The coordinator shall assist in the development
3 and implementation of local and community strategies to fight
4 substance abuse, including local law enforcement, education,
5 and treatment activities.

6 Sec. 87. Section 124.101, subsection 21, Code 2011, is
7 amended to read as follows:

8 21. "*Office*" means the ~~governor's~~ office of drug control
9 policy, as referred to in section 80E.1.

10 Sec. 88. Section 135.130, subsection 2, Code 2011, is
11 amended to read as follows:

12 2. A substance abuse treatment facility advisory council
13 is established within the department to advise and make
14 recommendations to the director regarding the establishment
15 and operation of a facility for persons with a substance
16 abuse problem who are on probation and to assist with the
17 implementation of treatment programs that are proven to
18 be effective for offenders. The substance abuse treatment
19 facility advisory council shall consist of the directors of the
20 eight judicial district departments of correctional services
21 and one representative each from the judicial branch, the Iowa
22 department of public health, the department of corrections, and
23 the ~~governor's~~ office of drug control policy.

24 Sec. 89. Section 216A.132, subsection 1, paragraph b, Code
25 2011, is amended to read as follows:

26 b. The departments of human services, corrections, and
27 public safety, the office on the status of African Americans,
28 the department of public health, the chairperson of the board
29 of parole, the attorney general, the state public defender,
30 and the ~~governor's~~ office of drug control policy shall each
31 designate a person to serve on the council.

32 Sec. 90. Section 216A.140, subsection 5, paragraph h, Code
33 2011, is amended to read as follows:

34 h. ~~Governor's office~~ Office of drug control policy.

35 Sec. 91. Section 602.8108, subsection 4, Code Supplement

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1 2011, is amended to read as follows:

2 4. The clerk of the district court shall remit all moneys
3 collected from the drug abuse resistance education surcharge
4 provided in section 911.2 to the state court administrator
5 for deposit in the general fund of the state and the amount
6 deposited is appropriated to the ~~governor's~~ office of drug
7 control policy for use by the drug abuse resistance education
8 program and other programs directed for a similar purpose.

9

DIVISION IX

10

ELECTRONIC COMMUNICATIONS

11 Sec. 92. Section 22.7, Code Supplement 2011, is amended by
12 adding the following new subsection:

13 NEW SUBSECTION. 65. Electronic mail addresses of
14 individuals collected by state departments and agencies for the
15 purpose of electronic communications.

16 Sec. 93. STATE DEPARTMENT AND AGENCY LIMITATIONS ON
17 MAIL. Notwithstanding any provision of the law to the
18 contrary, a state department or agency shall provide
19 departmental or agency notices or information through the
20 department's or agency's internet site or through electronic
21 mail to the fullest extent possible. This requirement shall
22 not apply to department and agency communications required for
23 purposes of pursuing legal action or to comply with federal
24 law. Departments and agencies shall have rulemaking authority
25 to implement this section and to collect electronic mail
26 addresses for the purpose of electronic communications.

27

DIVISION X

28

STATE RECORDS

29 Sec. 94. Section 96.11, subsection 11, Code 2011, is amended
30 to read as follows:

31 11. *Destruction of records.* The department may destroy
32 or dispose of such original reports or records as have been
33 properly recorded or summarized in the permanent records of
34 the department and are deemed by the director and the ~~state~~
35 ~~records-commission~~ department of cultural affairs to be no

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1 longer necessary to the proper administration of this chapter.
2 Wage records of the individual worker or transcripts therefrom
3 may be destroyed or disposed of, if approved by the ~~state~~
4 ~~records commission~~ department of cultural affairs, two years
5 after the expiration of the period covered by such wage records
6 or upon proof of the death of the worker. Such destruction
7 or disposition shall be made only by order of the director in
8 consultation with the ~~state records commission~~ department of
9 cultural affairs. Any moneys received from the disposition of
10 such records shall be deposited to the credit of the employment
11 security administration fund, subject to rules promulgated by
12 the department.

13 Sec. 95. Section 305.2, subsection 2, Code 2011, is amended
14 to read as follows:

15 2. "*Archives*" means records that have been appraised by
16 the ~~state records commission~~ department as having sufficient
17 historical, research, evidential, or informational value to
18 warrant permanent preservation and that have been transferred
19 to the custody of the state archives.

20 Sec. 96. Section 305.2, subsections 3 and 5, Code 2011, are
21 amended by striking the subsections.

22 Sec. 97. Section 305.2, Code 2011, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 4A. "*Department*" means the department of
25 cultural affairs.

26 Sec. 98. Section 305.2, subsection 10, Code 2011, is amended
27 to read as follows:

28 10. "*Records series retention and disposition schedule*"
29 means a timetable established by the ~~state records commission~~
30 department that describes the length of time a records series
31 of an agency or multiple agencies must be retained in active
32 and inactive status and provides authorization for a final
33 disposition of the records series by destruction or permanent
34 retention.

35 Sec. 99. Section 305.4, unnumbered paragraph 1, Code 2011,

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1 is amended to read as follows:

2 The ~~commission~~ department shall adopt government information
3 policies, standards, and guidelines to do all of the following:

4 Sec. 100. Section 305.8, subsection 1, unnumbered paragraph
5 1, Code 2011, is amended to read as follows:

6 The ~~commission~~ department shall do all of the following:

7 Sec. 101. Section 305.8, subsection 1, Code 2011, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. 0e. Provide training, advice, and counsel
10 to agencies on government information policies, standards, and
11 guidelines.

12 Sec. 102. Section 305.8, subsection 1, Code 2011, is amended
13 by adding the following new paragraphs:

14 NEW PARAGRAPH. 0f. Develop and distribute operating
15 procedures for agencies to use to implement the plans,
16 policies, standards, and guidelines adopted by the department.

17 NEW PARAGRAPH. 00f. Manage any centralized records storage
18 facility established by the department for the temporary
19 storage of agency records prior to their final disposition by
20 destruction or permanent preservation in accordance with the
21 records series retention and disposition schedules.

22 NEW PARAGRAPH. 000f. Appoint a state archivist to head the
23 state archives and records program.

24 NEW PARAGRAPH. 0000f. Manage the state archives and develop
25 operating procedures for the transfer, accession, arrangement,
26 description, preservation, protection, and public access of
27 those records the department identifies as having permanent
28 value.

29 NEW PARAGRAPH. 00000f. Maintain physical custody and legal
30 custody of archives that have been transferred and delivered
31 to the state archives.

32 (1) Upon receipt by the state archivist, the archives shall
33 not be removed without the state archivist's consent except in
34 response to a subpoena of a court of record or in accordance
35 with approved records series retention and disposition

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1 schedules or after review and approval of the department.

2 (2) Upon request, the state archivist shall make a certified
3 copy of any record in the legal custody or in the physical
4 custody of the state archivist, or a certified transcript
5 of any record if reproduction is inappropriate because of
6 legal or physical considerations. If a copy or transcript is
7 properly authenticated, it has the same legal effect as though
8 certified by the officer from whose office it was transferred
9 or by the secretary of state. The department shall establish
10 reasonable fees for certified copies or certified transcripts
11 of records in the legal custody or physical custody of the
12 state archivist.

13 NEW PARAGRAPH. 000000F. Establish, maintain, and administer
14 an archive of records created and maintained in electronic
15 format in order to preserve and provide public access to state
16 government records identified as having permanent historical
17 value by the department.

18 Sec. 103. Section 305.8, subsection 1, Code 2011, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. 0i. Establish rates to be charged an agency
21 by the department for storage and retention of records of
22 the agency in a records storage facility maintained by the
23 department. Rates established shall be reviewed annually by
24 the department and shall be reasonably related to the cost of
25 storing and retaining records of an agency.

26 Sec. 104. Section 305.8, subsection 2, unnumbered paragraph
27 1, Code 2011, is amended to read as follows:

28 The ~~commission~~ department may do all of the following:

29 Sec. 105. Section 305.8, subsection 2, Code 2011, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. 0g. Upon written consent of the state
32 archivist, accept records of political subdivisions that are
33 voluntarily transferred to the state archives.

34 Sec. 106. Section 305.8, subsection 2, paragraph e, Code
35 2011, is amended to read as follows:

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1 *e.* Make, or cause to be made, preservation duplicates of
2 records, which may include existing copies of original state
3 records. Any preservation duplicate record shall be durable,
4 accurate, complete, and clear, and shall be made by means
5 designated by the ~~commission~~ department.

6 Sec. 107. NEW SECTION. **305.8A Records retention and storage**
7 **costs — billing — internal service fund.**

8 1. The department may bill an agency for records storage
9 and retention services rendered by the department pursuant to
10 the rates established by the department for these services.
11 The department shall periodically render a billing statement
12 to an agency outlining the cost of services provided. The
13 amount indicated on the statement shall be paid by the agency
14 and amounts received by the department shall be considered
15 repayment receipts as defined in section 8.2, and deposited
16 into the accounts of the department.

17 2. *a.* The department may establish and maintain an internal
18 service fund in accordance with generally accepted accounting
19 principles, as defined in section 8.57, for the records storage
20 and retention activities of the department which are primarily
21 funded from billings to agencies for services rendered by the
22 department.

23 *b.* The internal service fund shall be administered by
24 the department and shall consist of moneys collected by the
25 department from billings issued in accordance with this section
26 and any other moneys obtained or accepted by the department,
27 including but not limited to gifts, loans, donations, grants,
28 and contributions, which are designated to support the
29 activities of the internal service fund.

30 *c.* The proceeds of the internal service fund established
31 pursuant to this section shall be used by the department
32 for the operations of the department in records storage and
33 retention consistent with this chapter.

34 *d.* Section 8.33 does not apply to any moneys in the
35 internal service fund established pursuant to this section.

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1 Notwithstanding section 12C.7, subsection 2, interest or
2 earnings on moneys deposited in the fund shall be credited to
3 the fund.

4 e. The director of the department shall annually provide
5 financial information and reports relative to the internal
6 service fund established pursuant to this section to the
7 department of management and the general assembly. The
8 information provided may include the recommendation that a
9 portion of unexpended net income be periodically returned to
10 the appropriate funding source.

11 Sec. 108. Section 305.10, subsection 1, paragraphs c, d, e,
12 f, and j, Code 2011, are amended to read as follows:

13 c. Cooperate with the ~~state records commission~~ department
14 and the state archives and records program in the development
15 and implementation of government information policies,
16 standards, and guidelines, and in the development and
17 implementation of records series retention and disposition
18 schedules.

19 d. Comply with requests from the ~~state records commission~~
20 ~~or department~~ and the state archives and records program to
21 examine records in the possession, constructive possession, or
22 control of the agency in order to carry out the purposes of
23 this chapter.

24 e. Inventory agency records in accordance with ~~state~~
25 ~~records commission~~ department policies to draft records series
26 retention and disposition schedules.

27 f. Identify vital operating records in accordance with
28 the policies, standards, and guidelines of the ~~state records~~
29 ~~commission~~ department.

30 j. Provide for compliance with this chapter and the rules
31 adopted by the ~~state records commission~~ department.

32 Sec. 109. Section 305.10, subsection 2, Code 2011, is
33 amended to read as follows:

34 2. Agency heads may petition the ~~state records commission~~
35 department to create or modify government information policies,

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1 standards, and guidelines, and to create or modify records
2 series retention and disposition schedules.

3 Sec. 110. Section 305.11, Code 2011, is amended to read as
4 follows:

5 **305.11 Termination of state agency — records transfer.**

6 Upon the termination of a state agency whose functions have
7 not been transferred to another agency, custody of the records
8 of the agency shall transfer to the ~~commission~~ department.

9 Sec. 111. Section 305.14, Code 2011, is amended to read as
10 follows:

11 **305.14 Liability precluded.**

12 No ~~member~~ employee of the ~~commission~~ department or head of
13 an agency shall be held liable for damages or loss, or civil
14 or criminal liability, because of the destruction of public
15 records pursuant to the provisions of this chapter or any other
16 law authorizing their destruction.

17 Sec. 112. Section 305.15, Code 2011, is amended to read as
18 follows:

19 **305.15 Exemptions — duties of state department of
20 transportation and state board of regents.**

21 The state department of transportation and the agencies and
22 institutions under the control of the state board of regents
23 are exempt from the state records manual and the provisions of
24 this chapter. However, the state department of transportation
25 and the state board of regents shall adopt rules pursuant to
26 chapter 17A for their employees, agencies, and institutions
27 that are consistent with the objectives of this chapter.
28 The rules shall be approved by the ~~state records commission~~
29 department.

30 Sec. 113. Section 305.16, subsection 6, paragraph b,
31 subparagraph (1), Code 2011, is amended to read as follows:

32 (1) Serve in an advisory capacity to the ~~state records~~
33 ~~commission~~ department, the state archives and records program,
34 and other statewide archival or records agencies.

35 Sec. 114. Section 321.31, subsection 1, paragraph b, Code

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1 2011, is amended to read as follows:

2 **b.** The department may make photostatic, microfilm, or other
3 photographic copies of certificates of title, registration
4 receipts, or other records, reports or documents which are
5 required to be retained by the department. When copies have
6 been made, the department may destroy the original records in
7 such manner as prescribed by the director. The photostatic,
8 microfilm, or other photographic copies, when no longer of use,
9 may be destroyed in the manner prescribed by the director,
10 subject to the approval of the ~~state records commission~~
11 department of cultural affairs. Photostatic, microfilm, or
12 other photographic copies of records shall be admissible in
13 evidence when duly certified and authenticated by the officer
14 having custody and control of the copies of records. Records
15 of vehicle certificates of title may be destroyed seven years
16 after the date of issue.

17 Sec. 115. REPEAL. Sections 305.3, 305.5, 305.6, 305.7, and
18 305.9, Code 2011, are repealed.

19 Sec. 116. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.

20 1. Any rule, regulation, form, order, or directive
21 promulgated by the state records commission relative to the
22 provisions of this Act in existence on the effective date of
23 this division of this Act shall continue in full force and
24 effect until amended, repealed, or supplemented by affirmative
25 action of the department of cultural affairs under the duties
26 and powers established in this division of this Act and under
27 the procedure established in subsection 2.

28 2. In regard to updating references and format in the Iowa
29 administrative code in order to correspond to the transferring
30 of duties as established in this division of this Act, the
31 administrative rules coordinator and the administrative rules
32 review committee, in consultation with the administrative code
33 editor, shall jointly develop a schedule for the necessary
34 updating of the Iowa administrative code.

35 DIVISION XI

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1 DEPARTMENT OF TRANSPORTATION PROVISIONS
2 Sec. 117. Section 321.105A, subsection 7, Code Supplement
3 2011, is amended to read as follows:
4 7. *Penalty for false statement or evasion of fee.* A person
5 who willfully makes a false statement in regard to the purchase
6 price of a vehicle subject to a fee for new registration or
7 willfully attempts in any manner to evade payment of the fee
8 required by this section is guilty of a fraudulent practice.
9 A person who willfully makes a false statement in regard to
10 the purchase price of such a vehicle with the intent to evade
11 payment of the fee for new registration or willfully attempts
12 in any manner to evade payment of the fee required by this
13 section shall be assessed a penalty of seventy-five percent of
14 the amount of the fee unpaid and required to be paid on the
15 actual purchase price less trade-in allowance.
16 Sec. 118. Section 321.196, subsection 4, Code 2011, is
17 amended to read as follows:
18 4. The department in its discretion may authorize the
19 renewal of a valid driver's license other than a commercial
20 driver's license upon application without an examination
21 provided that the applicant meets one of the following
22 conditions:
23 a. The applicant satisfactorily passes a vision test as
24 prescribed by the department ~~or.~~
25 b. The applicant files a vision report in accordance with
26 section 321.186A which shows that the applicant's visual acuity
27 level meets or exceeds those required by the department.
28 c. The applicant is eligible for license renewal
29 electronically, pursuant to rules adopted by the department.
30 4A. An application for renewal of a driver's license shall
31 include a statement for the applicant to sign that acknowledges
32 the applicant's knowledge of the requirement to notify the
33 department of a mailing address change under section 321.182,
34 subsection 1.
35 Sec. 119. REPEAL. Section 321.116, Code 2011, is repealed.



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1 Sec. 120. EMERGENCY RULES. The department of
2 transportation may adopt emergency rules under section 17A.4,
3 subsection 3, and section 17A.5, subsection 2, paragraph "b",
4 to implement section 321.196, subsection 4, paragraph "c",
5 as enacted in this division of this Act, and the rules shall
6 be effective immediately upon filing unless a later date is
7 specified in the rules. Any rules adopted in accordance with
8 this section shall also be published as a notice of intended
9 action as provided in section 17A.4.

10 Sec. 121. EFFECTIVE UPON ENACTMENT. The following
11 provisions of this division of this Act, being deemed of
12 immediate importance, take effect upon enactment:

13 1. The section of this division of this Act amending section
14 321.196, subsection 4.

15 2. The section of this division of this Act authorizing the
16 adoption of emergency rules.

17 Sec. 122. APPLICABILITY. The section of this division of
18 this Act that repeals section 321.116 applies for registration
19 years beginning on or after January 1, 2013.

20 DIVISION XII

21 REPORT — STATE DEBT COORDINATOR

22 Sec. 123. DEPARTMENT OF REVENUE AND OFFICE OF THE STATE
23 DEBT COORDINATOR — REPORT. The director of the department
24 of revenue shall develop and recommend legislative proposals
25 deemed necessary for the continued efficiency of the functions
26 of the office of the state debt coordinator established in
27 section 421C.1, and shall prepare and file a report detailing
28 the recommendations. The report shall be filed by the director
29 of the department of revenue with the department of management,
30 the governor, and the general assembly no later than January
31 14, 2013.

32 DIVISION XIII

33 POLLUTION PREVENTION AND WASTE MANAGEMENT ASSISTANCE

34 Sec. 124. Section 455B.481, subsections 1 through 3, Code
35 2011, are amended to read as follows:

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1 1. The purpose of this part is to promote the proper and
2 ~~safe storage, treatment, and disposal~~ management of solid,
3 hazardous, and low-level radioactive wastes in Iowa. The
4 ~~management of these wastes generated within Iowa is the~~
5 ~~responsibility of Iowans. It is the intent of the general~~
6 ~~assembly that Iowans assume this responsibility to the extent~~
7 ~~consistent with the protection of public health, safety, and~~
8 ~~the environment, and that Iowans insure that waste management~~
9 ~~practices, as alternatives to land disposal, including source~~
10 ~~reduction, recycling, compaction, incineration, and other forms~~
11 ~~of waste reduction, are employed.~~

12 2. ~~It is also the intent of the general assembly that a~~
13 ~~comprehensive waste management plan be established by the~~
14 ~~department which includes: the determination of need and~~
15 ~~adequate regulatory controls prior to the initiation of site~~
16 ~~selection; the process for selecting a superior site determined~~
17 ~~to be necessary; the establishment of a process for a site~~
18 ~~community to submit or present data, views, or arguments~~
19 ~~regarding the selection of the operator and the technology~~
20 ~~that best ensures proper facility operation; the prohibition~~
21 ~~of shallow land burial of hazardous and low-level radioactive~~
22 ~~wastes; the establishment of a regulatory framework for a~~
23 ~~facility; and the establishment of provisions for the safe~~
24 ~~and orderly development, operation, closure, postclosure, and~~
25 ~~long-term monitoring and maintenance of the facility.~~

26 3. 2. ~~In order to meet capacity assurance requirements~~
27 ~~of section 104k of the federal Superfund Amendments and~~
28 ~~Reauthorization Act of 1986, Pub. L. No. 99-499, and further~~
29 ~~the objectives of waste minimization, the~~ The department,
30 in cooperation with the small business assistance center at
31 the university of northern Iowa, shall work with generators
32 of hazardous wastes in the state to develop and implement
33 aggressive waste minimization programs. ~~The goal of these~~
34 ~~programs is to reduce the volume of hazardous waste generated~~
35 ~~in the state as a whole by twenty five percent of the amount~~



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1 ~~generated as of January 1, 1987, as reported in the biennial~~
2 ~~reports collected by the United States environmental protection~~
3 ~~agency. The twenty-five percent reduction goal shall be~~
4 ~~reached as expeditiously as possible and no later than July~~
5 ~~1, 1994. In meeting the reduction goal, elements "a" through~~
6 ~~"d" of the hazardous waste management hierarchy shall be~~
7 ~~utilized. The department, in cooperation with the small~~
8 ~~business assistance center, shall reassess the twenty-five~~
9 ~~percent reduction goal in 1994. The department shall promote~~
10 ~~research and development, provide and promote educational~~
11 ~~and informational programs, promote and encourage provide~~
12 confidential, voluntary technical assistance to hazardous waste
13 generators, promote assistance by the small business assistance
14 center, and promote other activities by the public and private
15 sectors that support this goal. In the promotion of the goal,
16 the following hazardous waste management pollution prevention
17 hierarchy, in descending order of preference, is established
18 by the department:

19 a. Source reduction for waste elimination.

20 b. Reuse.

21 c. On-site recycling.

22 ~~c.~~ d. Off-site recycling.

23 ~~d.~~ e. Waste treatment.

24 ~~e.~~ f. Incineration Combustion with energy recovery.

25 ~~f.~~ g. Land disposal.

26 Sec. 125. Section 455B.481, subsections 4 and 5, Code 2011,
27 are amended by striking the subsections.

28 Sec. 126. Section 455B.482, Code 2011, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 7A. "Pollution prevention" means employment
31 of a practice that reduces the industrial use of toxic
32 substances or reduces the environmental and health hazards
33 associated with an environmental waste without diluting or
34 concentrating the waste before the release, handling, storage,
35 transport, treatment, or disposal of the waste.

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1 Sec. 127. Section 455B.484, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. Implement the waste management policy
4 provided in section 455B.481.

5 Sec. 128. Section 455B.484, subsections 2, 3, 4, 6, 7, 9,
6 and 10, Code 2011, are amended by striking the subsections.

7 Sec. 129. Section 455B.484A, subsection 1, paragraph c,
8 Code 2011, is amended to read as follows:

9 *c. "Assistance program" means the ~~waste reduction assistance~~*
10 *pollution prevention program of the department or of the Iowa*
11 *waste reduction center for safe and economic management of*
12 *solid waste and hazardous substances conducted pursuant to*
13 *section 268.4.*

14 Sec. 130. Section 455B.485, subsections 3 and 5, Code 2011,
15 are amended by striking the subsections.

16 Sec. 131. Section 455B.486, subsection 1, Code 2011, is
17 amended by striking the subsection.

18 Sec. 132. Section 455B.487, unnumbered paragraph 1, Code
19 2011, is amended to read as follows:

20 The commission shall adopt rules establishing criteria for
21 the identification of land areas or sites which are suitable
22 for the operation of facilities for the management of ~~hazardous~~
23 ~~and~~ low-level radioactive wastes. Upon request, the department
24 shall assist in locating suitable sites for the location of
25 a facility. The commission may purchase or condemn land to
26 be leased or used for the operation of a facility subject to
27 chapter 6A. Consideration for a contract for purchase of land
28 shall not be in excess of funds appropriated by the general
29 assembly for that purpose. The commission may lease land
30 purchased under this section to any person including the state
31 or a state agency. This section authorizes the state to own or
32 operate ~~hazardous waste facilities and~~ low-level radioactive
33 waste facilities, subject to the approval of the general
34 assembly.

35 Sec. 133. Section 455B.487, unnumbered paragraph 11, Code

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1 2011, is amended by striking the unnumbered paragraph.

2 Sec. 134. Section 455B.487, subsections 1 through 3, Code
3 2011, are amended by striking the subsections.

4 Sec. 135. Section 455D.1, Code 2011, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 4A. "*Pollution prevention techniques*" means
7 any of the following practices employed by the user of a toxic
8 substance:

9 a. Input substitution, which is the replacement of a toxic
10 substance or raw material used in a production process with a
11 nontoxic or less toxic substance.

12 b. Product reformulation, which is the substitution of an
13 end product which is nontoxic or less toxic upon use or release
14 for an existing end product.

15 c. Production process redesign or modification, which is
16 the development and use of production processes of a different
17 design other than those currently in use.

18 d. Production process modernization, which is the upgrading
19 or replacing of existing production process equipment or
20 methods with other equipment or methods based on the same
21 production process.

22 e. Improved operation and maintenance of existing production
23 process equipment and methods, which is the modification or
24 addition to existing equipment or methods, including but not
25 limited to such techniques as improved housekeeping practices,
26 system adjustments, product and process inspections, and
27 production process control equipment or methods.

28 f. Recycling, reuse, or extended use of toxic substances by
29 using equipment or methods that become an integral part of the
30 production process.

31 Sec. 136. Section 455D.7, subsection 1, Code 2011, is
32 amended to read as follows:

33 1. Unless otherwise specified in this chapter, adopt rules
34 necessary to implement this chapter pursuant to chapter 17A.

35 ~~Initial rules shall be adopted no later than April 1, 1992.~~

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1 Sec. 137. Section 455D.7, subsection 4, Code 2011, is
2 amended by striking the subsection.

3 Sec. 138. Section 455D.15, subsection 2, Code Supplement
4 2011, is amended by striking the subsection and inserting in
5 lieu thereof the following:

6 2. The fund shall be utilized by the department for
7 providing technical assistance to Iowa businesses in developing
8 and implementing pollution prevention techniques.

9 Sec. 139. Section 455D.15, subsection 3, Code Supplement
10 2011, is amended by striking the subsection.

11 Sec. 140. Section 455E.8, subsections 2 and 3, Code 2011,
12 are amended by striking the subsections.

13 Sec. 141. REPEAL. Sections 455B.516, 455B.517, and
14 455B.518, Code 2011, are repealed.

15 DIVISION XIV

16 ONGOING PROGRAM REVIEW

17 Sec. 142. Section 2.69, subsection 4, Code 2011, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. *0c.* Comprehensively review on a regular
20 basis the programs and projects administered by state
21 government to determine whether each program and project
22 reviewed is effectively and efficiently meeting the needs for
23 which created, and whether the needs remain applicable. The
24 review shall consider whether modifications to the program or
25 project reviewed could better meet the needs identified in a
26 more effective manner.

27 DIVISION XV

28 BOARDS AND COMMISSIONS

29 Sec. 143. Section 34A.2A, subsection 2, Code 2011, is
30 amended to read as follows:

31 2. The E911 program manager shall act under the supervisory
32 control of the administrator of the homeland security and
33 emergency management division of the department of public
34 defense, and in consultation with the ~~E911 communications~~
35 ~~council~~ state interoperable communications system board

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1 established in section 80.28, and perform the duties
2 specifically set forth in this chapter and as assigned by the
3 administrator.

4 Sec. 144. Section 34A.7A, subsection 2, paragraph h, Code
5 2011, is amended to read as follows:

6 h. The administrator, in consultation with the program
7 manager and the ~~E911 communications council~~ state interoperable
8 communications system board established in section 80.28, shall
9 adopt rules pursuant to chapter 17A governing the distribution
10 of the surcharge collected and distributed pursuant to this
11 subsection. The rules shall include provisions that all joint
12 E911 service boards and the department of public safety which
13 answer or service wireless E911 calls are eligible to receive
14 an equitable portion of the receipts.

15 Sec. 145. Section 34A.15, subsection 3, Code Supplement
16 2011, is amended to read as follows:

17 3. The council shall advise and make recommendations to
18 the ~~administrator and program manager~~ state interoperable
19 communications system board established in section 80.28
20 regarding the implementation of this chapter. Such advice and
21 recommendations shall be provided on issues at the request
22 of the administrator or program manager state interoperable
23 communications system board established in section 80.28 or as
24 deemed necessary by the council.

25 Sec. 146. Section 80.29, Code 2011, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 12A. Advise and make recommendations, in
28 consultation with the E911 communications council established
29 in section 34A.15, to the director of the department of
30 homeland security and emergency management and the E911 program
31 manager appointed pursuant to section 34A.2A regarding the
32 implementation of chapter 34A. Such advice and recommendations
33 shall be provided on issues at the request of the director or
34 program manager or as deemed necessary by the board. However,
35 the authority of the board as to this duty is limited to the

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1 issues specifically identified in this subsection and does
2 not preempt the authority of the utilities board, created in
3 section 474.1, to act on issues within the jurisdiction of the
4 utilities board.

5 Sec. 147. Section 190A.3, subsection 4, Code 2011, is
6 amended to read as follows:

7 4. The ~~farm-to-school council~~ department of agriculture and
8 land stewardship and the department of education shall actively
9 seek financial or in-kind contributions from organizations or
10 persons to support the program.

11 Sec. 148. Section 256.9, subsection 55, paragraph j, Code
12 Supplement 2011, is amended by striking the paragraph.

13 Sec. 149. REPEAL. Section 190A.2, Code 2011, is repealed.

14 Sec. 150. MULTIPLE AMENDMENTS — HARMONIZATION AND
15 PREVALENCE.

16 1. The amendments in this division of this Act and in
17 the division of this Act creating a department of homeland
18 security and emergency management to section 34A.2A, subsection
19 2, and section 34A.7A, subsection 2, paragraph "h", shall be
20 harmonized by the Code editor in accordance with section 2B.13.

21 2. If section 34A.15, subsection 3, is amended in this
22 division of this Act and in the division of this Act creating a
23 department of homeland security and emergency management, the
24 amendments are deemed irreconcilable and the amendment in this
25 division of this Act shall prevail.

26 DIVISION XVI

27 OBSOLETE PROVISIONS

28 Sec. 151. REPEAL. Section 15.112, Code Supplement 2011, is
29 repealed.

30 Sec. 152. REPEAL. Chapters 15C and 15D, Code 2011, are
31 repealed.

32 EXPLANATION

33 This bill relates to government efficiency, including other
34 matters related to the operation of state and local government.

35 DIVISION I — GOVERNMENT INFORMATION TECHNOLOGY SERVICES.

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1 This division amends Code section 8A.205, concerning digital
2 government, to encourage state agencies to utilize duplex
3 printing.

4 The division directs the department of administrative
5 services (DAS) to conduct an inventory of information
6 technology devices utilized by state agencies with the goal of
7 identifying possibilities to reduce costs. DAS is required to
8 submit a report to the general assembly by January 1, 2013,
9 concerning the results of the inventory.

10 The division also directs the department of administrative
11 services (DAS) to establish a schedule for departments to
12 comply with information technology coordination and management
13 requirements of Code chapter 8A. In addition, DAS is
14 encouraged to procure information technology for participating
15 agencies through leasing.

16 DIVISION II — HEALTH INSURANCE TASK FORCE. This division
17 creates a state employee health insurance task force under the
18 authority of the legislative council to examine all aspects
19 of providing health care coverage to state employees. The
20 division provides that the legislative council appoint members
21 for the task force and provides for who should be appointed.
22 The division requires the task force to submit a report to the
23 general assembly by December 31, 2012.

24 DIVISION III — MEDICATION THERAPY MANAGEMENT. This
25 division relates to medication therapy management. The
26 division codifies the pilot program for medication therapy
27 management implemented on July 1, 2010, for eligible state
28 employees, making the program an ongoing program and directing
29 DAS to utilize a request for proposals process and to enter
30 into a contract to continue the program. The division takes
31 effect upon enactment.

32 DIVISION IV — STATE PHYSICAL RESOURCES. This division
33 of the bill requires that DAS conduct an analysis of state
34 employee workstations and office standards by September 30,
35 2012. The division further requires the department to submit

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1 findings and recommendations to the capitol planning commission
2 and the legislative fiscal committee by October 30, 2012.

3 DIVISION V — AUDITS. This division concerns audit costs and
4 filing fees for the filing of certain audits or examinations
5 conducted by the auditor of state.

6 Code section 11.6(10) is amended to eliminate the authority
7 of the auditor to establish and collect a filing fee relative
8 to certain audits conducted on certain mental health centers,
9 substance abuse programs, and community action agencies.

10 The division also relates to four commodity organizations
11 representing producers of sheep (and wool), eggs, turkeys,
12 and corn. The marketing, research, and promotional purposes
13 of these organizations are financed by an excise tax or state
14 assessment (commonly referred to as a checkoff) imposed upon
15 the first purchasers of the commodities. Moneys derived from
16 each checkoff are controlled by the governing body of each
17 organization, including the Iowa sheep and wool promotion
18 board, the Iowa egg council, the Iowa turkey marketing council,
19 and the Iowa corn promotion board. In each case, the collected
20 moneys are subject to audit by the auditor of state. In 2010,
21 the general assembly enacted SF 2367 (2010 Iowa Acts, ch.
22 1189) which amended a number of sections referring to those
23 audits, by authorizing the auditor of state to be reimbursed
24 from the organizations for the cost of the audits. The
25 division eliminates the changes made in SF 2367 and restores
26 the sections to the language as it existed prior to that
27 legislation.

28 The division takes effect upon enactment.

29 DIVISION VI — HOMELAND SECURITY AND EMERGENCY MANAGEMENT
30 ORGANIZATION. Currently, the department of public defense is
31 composed of the military division and the homeland security
32 and emergency management division. This division transfers
33 the homeland security and emergency management division of the
34 department of public defense into a new department of homeland
35 security and emergency management. The division retains

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1 within the department of public defense responsibility over
2 the office of the adjutant general and the military forces of
3 the state of Iowa. The division provides that the governor
4 appoint the director of the new department. Current duties
5 and responsibilities of the homeland security and emergency
6 management division are transferred to the new department of
7 homeland security and emergency management. In addition,
8 the division transfers the attachment of the Iowa emergency
9 response commission for routine administrative support from the
10 department of public defense to the new department of homeland
11 security and emergency management.

12 The division also includes transition provisions relative
13 to the establishment of the department of homeland security
14 and emergency management. The division provides that any
15 rule, regulation, form, order, or directive promulgated by the
16 division of homeland security and emergency management of the
17 department of public defense shall continue unless modified
18 or otherwise changed by the new department. The division
19 provides that employees of the division of homeland security
20 and emergency management of the department shall be considered
21 employees of the department of homeland security and emergency
22 management.

23 DIVISION VII — IOWA JOBS BOARD. This division eliminates
24 the Iowa jobs board and provides that any duties or
25 responsibilities of the Iowa jobs board shall become the
26 responsibility of the Iowa finance authority. The division
27 also provides transition provisions relative to any contracts
28 or agreements entered into by the Iowa jobs board and provides
29 for a limitation of personal liability for actions by a member
30 or agent of the board taken prior to the effective date of the
31 division relative to the duties of the board.

32 DIVISION VIII — OFFICE OF DRUG CONTROL POLICY. This
33 division transfers the administration of the governor's office
34 of drug control policy from the office of the governor to the
35 department of public safety. The division changes the name

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1 of governor's office of drug control policy to office of drug
2 control policy.

3 The division requires the department of public safety to
4 review the budget submitted by the drug policy coordinator and
5 assist the drug policy coordinator in directing the governor's
6 office of drug control policy pursuant to Code section 80E.1.

7 The division does not modify the appointment of the drug
8 policy coordinator. Currently, the governor appoints the drug
9 policy coordinator, subject to confirmation by the senate, and
10 the coordinator serves at the pleasure of the governor.

11 The division also does not modify the current duties of the
12 drug policy coordinator to coordinate and monitor all statewide
13 narcotics enforcement efforts, substance abuse treatment grants
14 and programs, substance abuse prevention and education programs
15 in communities and schools, and to engage in such other related
16 activities as required by law.

17 DIVISION IX — ELECTRONIC COMMUNICATIONS. This division
18 provides that each state department and agency shall provide
19 departmental or agency notices or information through the
20 department's or agency's internet site or through electronic
21 mail to the fullest extent possible. Code section 22.7,
22 concerning confidential public records, is amended to provide
23 that electronic mail addresses of individuals collected by
24 state departments and agencies for the purpose of electronic
25 communications shall be considered confidential.

26 DIVISION X — STATE RECORDS. This division eliminates
27 the state records commission and transfers the duties and
28 responsibilities of the state records commission to the
29 department of cultural affairs. The division includes a
30 transition provision that any rule promulgated by the state
31 records commission shall continue until changed by the
32 department of cultural affairs.

33 The division also authorizes the department of cultural
34 affairs to bill agencies for records storage and retention.
35 Code section 305.8 is amended to provide that the state records

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1 commission establish rates to charge agencies for providing
2 records storage and retention services. New Code section
3 305.8A authorizes the department of cultural affairs to bill
4 agencies for records storage and retention services, establish
5 an internal service fund for receipt of moneys from agencies
6 billed for this purpose, and authorizes the department to
7 utilize moneys received and deposited in the fund for the
8 operations of the department in records storage and retention.

9 DIVISION XI — DEPARTMENT OF TRANSPORTATION PROVISIONS.

10 This division contains provisions relating to a variety of
11 matters regulated by the department of transportation.

12 Code section 321.105A is amended to provide that a person
13 who willfully attempts to evade payment of the fee for new
14 registration is guilty of a fraudulent practice. In addition
15 to the criminal penalty, the person shall be assessed a penalty
16 of 75 percent of the amount of the fee unpaid and required to be
17 paid. These are the same penalties that currently apply for
18 making a false statement in regard to the purchase price of a
19 vehicle subject to a fee for new registration.

20 Code section 321.196 is amended to provide that when the
21 department renews a driver's license electronically, it may
22 do so without requiring the licensee to pass a vision test or
23 file a vision report, pursuant to rules of the department.
24 The division authorizes the adoption of emergency rules to
25 implement this provision. The amendment to Code section
26 321.196 and the authorization to adopt emergency rules are
27 effective upon enactment.

28 Code section 321.116, which establishes an annual
29 registration fee of \$25 for electric motor vehicles, is
30 repealed. As a result, electric motor vehicles will be subject
31 to registration fees based on the weight and value of the
32 vehicle. The change applies for registration years beginning
33 on or after January 1, 2013.

34 DIVISION XII — REPORT — STATE DEBT COORDINATOR. This
35 division establishes a report to be prepared and filed by the

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1 director of the department of revenue. The director will
2 develop and recommend legislative proposals deemed necessary
3 for the office of the state debt coordinator, which shall
4 be compiled in a report and filed with the department of
5 management, the governor, and the general assembly no later
6 than January 14, 2013.

7 DIVISION XIII — POLLUTION PREVENTION AND WASTE MANAGEMENT
8 ASSISTANCE. This division relates to pollution prevention and
9 waste management assistance.

10 The division amends the waste management assistance
11 provisions of Code chapter 455B by updating the waste
12 management policy. The division includes reuse and combustion
13 with energy recovery in the pollution prevention hierarchy and
14 removes incineration from the hierarchy.

15 The division includes a new definition for "pollution
16 prevention" and uses the term to replace "hazardous waste
17 management" and "waste reduction assistance". The division
18 eliminates references to hazardous waste throughout Code
19 chapter 455B, division IV, part 9, including duties of the
20 department and the environmental protection commission relating
21 to hazardous waste and the location, acquisition, and operation
22 of hazardous waste management facilities.

23 The division eliminates many of the duties of the department
24 in relation to waste management and includes a new general duty
25 to implement the waste management policy.

26 The division eliminates two duties of the environmental
27 protection commission in relation to waste management policy.
28 The duties relate to budget requests and approval of certain
29 contracts and agreements.

30 The division eliminates a duty of the commission to
31 recommend to the general assembly, annually, the imposition of
32 waste abatement fees, rebates, and deposits.

33 The division amends provisions related to the waste volume
34 reduction and recycling fund. The division eliminates a
35 requirement that grants from the fund be awarded based on the

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1 solid waste management hierarchy. The division provides that
2 the fund shall be utilized for purposes of providing technical
3 assistance to Iowa businesses in developing and implementing
4 pollution prevention techniques.

5 The division eliminates two duties of the director of the
6 department relating to groundwater reporting requirements.

7 The division repeals Code sections 455B.516, 455B.517, and
8 455B.518, which relate to the toxics pollution prevention
9 program.

10 DIVISION XIV — ONGOING PROGRAM REVIEW. This division
11 amends Code section 2.69, establishing the legislative
12 state government efficiency review committee, to provide
13 that the committee also conduct a comprehensive review on a
14 regular basis of programs and projects administered by state
15 government.

16 DIVISION XV — BOARDS AND COMMISSIONS. This division
17 provides that the duties of the E911 communications council
18 relative to advising homeland security and emergency management
19 on enhanced 911 emergency telephone systems are transferred
20 to the state interoperable communications system board.
21 The division retains the E911 communications council and
22 provides that the council shall advise the state interoperable
23 communications system board relative to enhanced 911 emergency
24 telephone systems.

25 The division repeals the farm-to-school council.

26 DIVISION XVI — OBSOLETE PROVISIONS. This division repeals
27 Code section 15.112, relating to matching funds for a farmworks
28 national demonstration project; Code chapter 15C, relating to
29 a world trade center; and Code chapter 15D, relating to the
30 midwest nuclear compact, which contains provisions relating to
31 repeal and withdrawal from the compact.